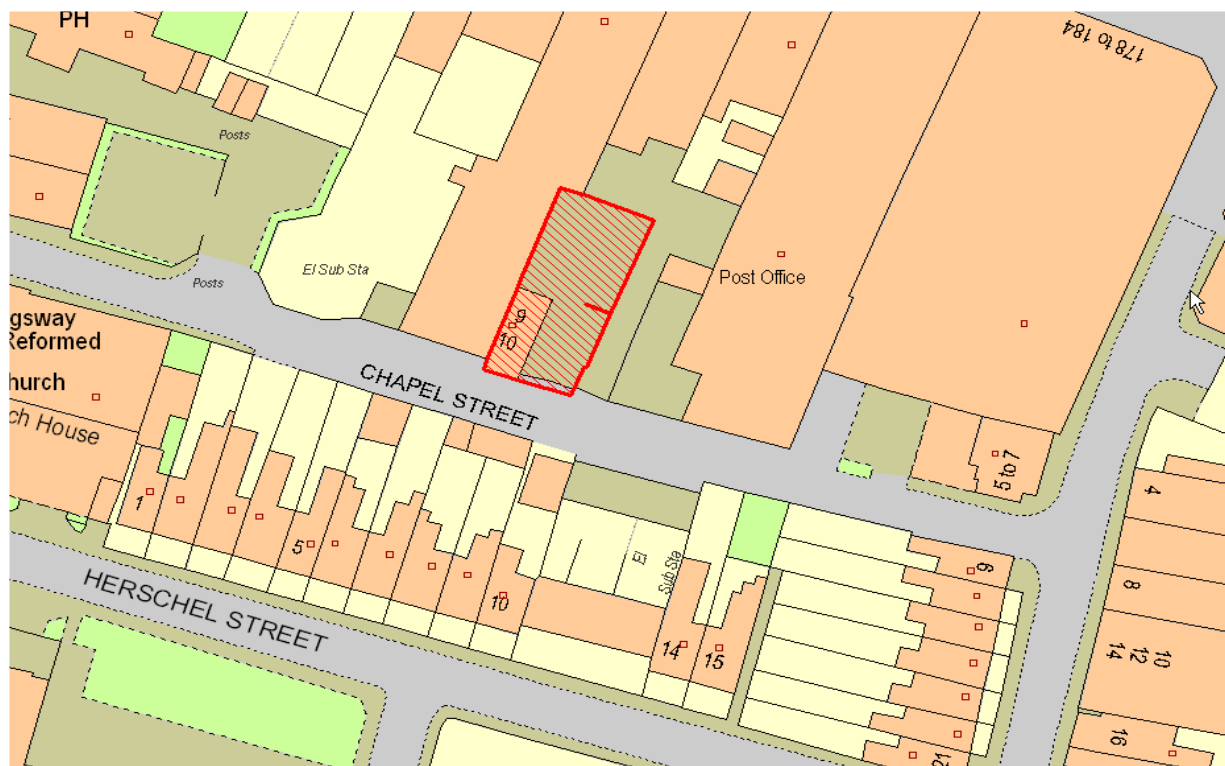


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|---------------------------|---|----------------------|------------------|
| Registration Date: | 15-May-2014 | Applic. No: | P/01913/010 |
| Officer: | Ian Hann | Ward: | Upton |
| Applicant: | Mr. Iftakhar Ahmed | Applic type: | Major |
| Agent: | Mr. Alan Counter 33, CHAUCER WAY, COOMBELANDS, ADDLESTONE, SURREY, KT15 1LQ | 13 week date: | 14th August 2014 |
| Location: | 9-10, Chapel Street, Slough, SL1 1PF | | |
| Proposal: | <p>ERECTION OF 5 STOREY BUILDING PLUS BASEMENT TO PROVIDE A MIXED USE DEVELOPMENT COMPRISING;</p> <p>A) GYMNASIUM, HAIR SALON / BEAUTICIANS AND SAUNA / AEROBICS ROOM AT BASEMENT LEVEL</p> <p>B) 126 SQ METRES OF CLASS A2 OFFICES AT GROUND FLOOR LEVEL</p> <p>C) 2 NO. X ONE BEDROOM FLATS AND 19 NO. BEDSIT FLATS ON FOUR UPPER LEVELS TOGETHER WITH ON SITE CYCLE AND REFUSE STORAGE AT GROUND FLOOR LEVEL(OUTLINE APPLICATION WITH APPEARANCE AND LANDSCAPING RESERVED FOR SUBSEQUENT APPROVAL)</p> | | |

Recommendation: Refuse



1.0 SUMMARY OF RECOMMENDATION

- 1.1 Having considered the policy background, comments from consultees and the impacts of the proposed development it is recommended that the application be refused planning permission for the reasons set out in this report.
- 1.2 This application is to be decided at planning committee as it is for a major development.

PART A: BACKGROUND

2.0 Proposal

- 2.1 An outline planning application has been submitted for a detached five storey building with a basement, comprising gymnasium, keep fit, hair salon, beautician, sauna or aerobic uses at basement level, office accommodation at ground floor level and residential uses in the four floors above consisting of 21 residential units (19 x bedsits / studio apartments and 2 x one bedroom units). Also provided on the first floor are 2 common meeting rooms and a utility room. Cycle and bin stores are also proposed, to the ground floor rear and side of the property respectively. This application follows a previously approved scheme for a four storey building with basement comprising a gym at basement level, offices uses at ground floor level and 8 no. one bedroom flats and 8 bedsits / studio apartments. These proposals would therefore see the introduction of an additional floor added to the building with an increase of 5 residential units, some common areas, a reduction of 64.51m² of office floor area due to the increased cycle and bin storage. The previous application was approved by Planning Committee in November 2010 (reference P01913/006) and an application to extend the time limit to agree the reserved matters was granted in December 2013 for an additional 3 years.
- 2.2 The proposed building will have a width of 10.5m, depth of 24.8m and will have a height of 14.3m with a flat roof with almost 100% site coverage save for a 1.5m wide access path down the side of the proposed building.
- 2.3 This is an outline application with access, scale and layout to be agreed at this stage and appearance and landscaping to be reserved matters to be agreed at a later stage, if planning permission is granted.

3.0 Application Site

- 3.1 The application site is located on the north eastern side of Chapel Street, which is a service road that predominantly serves the rear of the properties in High Street.
- 3.2 The site is surrounded with commercial buildings on the north eastern side of the site, with most of them being rear accesses to High Street units and two storey residential properties to the south and south west of the site. These residential properties face onto Herschel Street with the rear of the properties on Chapel Street with parking areas and gardens adjacent to Chapel Street itself.
- 3.3 The site is situated within the Slough Town Centre Boundary and Slough Town Centre Shopping Centre as defined in the proposals map for Slough.

4.0 Site History

- 4.1 Planning permission was granted in September 1992 for a photographic and recording studio with ancillary parking and offices (P/01913/003) and permission for its continued use was

granted in December 1996 (P/01913/004) and July 1999 (P/01913/005).

- 4.2 Planning permission was then granted for demolition of existing buildings and erection of a two storey office building with undercroft parking (S/00618/000). This was followed by two outline applications that were granted planning permission two storey office buildings in September 2005 (S/00618/001) and January 2006 (S/00618/002) but buildings works have not commenced and have now expired. At the time that the applications were determined they were adjudged to have established an appropriate size, scale and bulk of building for the site.
- 4.3 Planning permission was granted for a smaller scale scheme than that which is currently sort, being a four storey building with basement comprising similar uses at basement and ground floor level but with 8no. one bed and 8no. bedsit units in November 2010 (P/01913/006).
- 4.4 Planning permission was applied for in December 2011 for a seven storey building plus basement to provide a gymnasium, hair salon, beauticians, sauna and aerobics room at basement level, 334m² of office space on the ground and first floor and 25 residential units (10no. 1 bed flats and 15no. studio flats) on the floors above, but was withdrawn prior to determination (P/01913/007).
- 4.5 Planning permission was refused in September 2013 for a six storey building plus basement to provide a gymnasium, hair salon, beauticians, sauna and aerobics room at basement level, 334m² of office space on the ground and first floor and 30no. bedsits on the floors above for the following reasons (P/01913/007):
 1. The applicant has failed to demonstrate that the level of development being applied for can be provided on this site without compromising the character and appearance of the area through the buildings excessive bulk, scale and height. Furthermore at a proposed height of six stories the building will be visible from the High Street and will appear as an isolated and intrusive form of development given the domestic scale of the rest of the High Street. The applicant has failed to show that the amount of development sort can be delivered on this site without comprising the otherwise domestic scale of this part of the Town Centre and therefore the proposed development is thereby contrary to National Planning Policy Framework, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document: December 2008 and Policies EN1, of the Adopted Local Plan for Sough: 2004 (incorporated in the Composite Local Plan for Slough 2013).
 2. The siting and juxtaposition of the proposed building would introduce an unacceptable form of development for the occupiers of the residential properties at 6-10 Herschel Street, the rears of which face onto the south side of Chapel Street resulting in an overbearing form of development, and a loss of privacy for these occupiers and be visually intrusive for the occupiers of those properties with their amenity affected to an unacceptable degree. The development therefore has an unacceptable impact upon the amenities of neighbouring properties contrary to National Planning Policy Framework, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document: December 2008 and Policies EN1 and H13 of the Adopted Local Plan for Sough: 2004 (incorporated in the Composite Local Plan for Slough 2013).
 3. Given the layout and scale of the building with its increased provision of flank windows over and above that previously approved will result in potential and perceived overlooking over neighbouring sites, to the extent that it would significantly affect the chances of future development on neighbouring sites, therefore having an unacceptable impact upon the amenities of neighbouring properties. The development is therefore contrary to National Planning Policy Framework, Core Policy 8 of the Slough Local Development Framework

Core Strategy 2006-2026 Development Plan Document: December 2008 and Policies EN1 and H13 of the Adopted Local Plan for Slough: 2004 (incorporated in the Composite Local Plan for Slough 2013)

4. Given the layout and scale of the building and its proximity to the rear of the properties in High Street with habitable room windows facing onto properties on High Street will result in overlooking to the proposed residential units, contrary to National Planning Policy Framework, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document: December 2008 and Policies EN1, of the Adopted Local Plan for Slough: 2004 (incorporated in the Composite Local Plan for Slough 2013)
 5. The proposed building by virtue of its internal layout will result in a number of the residential units having inappropriately sized rooms and rooms that will have inappropriate outlook and access to sunlight / daylight, thereby impacting on the amenity of future residents and failing to provide high quality housing, contrary to National Planning Policy Framework, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document: December 2008 and Policies EN1, of the Adopted Local Plan for Slough: 2004. (incorporated in the Composite Local Plan for Slough 2013)
 6. The proposed building would result in an unsuitable singular entrance for all uses resulting in a crowded and congested entrance leading to security and amenity issues with concerns over security and the failure to design out crime, and given the scale and intensity of the layout could not be adequately designed out at the reserved matters stage. The development is therefore contrary to National Planning Policy Framework, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document: December 2008 and Policies EN1, of the Adopted Local Plan for Slough: 2004 (incorporated in the Composite Local Plan for Slough 2013).
 7. Insufficient provision has been made for secure cycle parking to the detriment of the efficiency of the highway network and given the scale and intensity of the layout this could not be incorporated without the loss of office floor space or dwelling units. As such the proposal is contrary to Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006-2026 Development Plan Document, December 2007) (incorporated in the Composite Local Plan for Slough 2013).
 8. A holding objection is raised on the grounds that the applicant has failed to enter into an Agreement under Section 106 of the Town and Country Planning Act for payment of a general transportation contribution and affordable housing contribution contrary to Core Policy 7 of the Local Development Framework Core Strategy (2006 - 2026), Development Plan Document, December 2008 (incorporated in the Composite Local Plan for Slough 2013).
- 4.6 Planning permission was granted to extend the time to implement the previously approved planning application as outlined in paragraph 4.3 in December 2013 (P/01913/090).
- 4.7 The site was previously used as a shisha lounge with the erection of marquee and new toilet without the benefit of planning permission. A temporary stop notice was served in June 2013 with a further stop notice served and an enforcement notice in July 2013 (due to the harm caused to interests of residential amenity and the character and appearance of the area). The enforcement notice was appealed and the appeal was dismissed in May 2014 with the use to be ceased within 2 months from the date of the appeal decision.

5.0 Neighbour Notification

- 5.1 164, 166, 172, 174, High Street, Slough.
7, 8, 9, 10, Herschel Street, Slough.

No responses have been received. Should any response be received this will be reported to Members on the amendment sheet.

6.0 Consultation

6.1 Environmental Services

No response has been received. Should any response be received this will be reported to Members on the amendment sheet.

6.2 Public Protection Services, Neighbourhood Enforcement.

No response has been received. Should any response be received this will be reported to Members on the amendment sheet.

6.3 Transport

No response has been received. Should any response be received this will be reported to Members on the amendment sheet. Comments for the previous scheme confirmed that on that scheme additional demands would be placed on the highway network for which a contribution would need to be sort towards improving local parking facilities and real time passenger information. It was also recommended that an area of the footpath to the front of the site be dedicated as a public footway and that as the scheme would be car free appropriate cycle storage would need to be provided and the as this fell short of the required standard the application was recommended for refusal.

PART B: PLANNING APPRAISAL

7.0 Policy Background

7.1 National guidance

- National Planning Policy Framework

Local Development Framework, Core Strategy, Submission Document

- Core Policy 1 (Spatial Vision and Strategic Objectives for Slough)
- Core Policy 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 planning considerations for this proposal are:

- Principle of use
- Scale, massing, bulk and layout
- Impact to neighbouring residential properties / relationships to neighbouring buildings
- Standard of accommodation
- Amenity Space
- Traffic and Highways

8.0 Principle of use

- 8.1 The mixed use scheme would comply with the National Planning Policy Framework in principle, as it is a brownfield site and makes efficient use of an underutilised site, but there are some fundamental issues of scale, bulk and height of the development, design, amenity issues and environmental impacts that are considered in detail below.
- 8.2 Core Policy 1 (Spatial Strategy) states that “proposals for high density housing ... will be located in the appropriate parts of Slough Town Centre.” Paragraph 7.68 of the Core Strategy states that “the actual density that will be permitted on an individual site will be dependant upon the overall strategy for that location and upon achieving a high standard of design which creates attractive living conditions”. While the principle of the use can be accepted in planning terms there are significant issues in terms of the scale of the proposals and its failure to respect its surroundings as well as issues involving amenity, living standards and transport as well as failing to provide a suitable mix of accommodation. As such the Applicant must demonstrate that the development is appropriate to the site as well providing high quality housing and this is discussed below.
- 8.3 This site is not a site that has been identified in the Councils Site Allocations Document. Although this in itself does not stop it from being developed it should be noted that the Council has a 5, 10 and 15 year supply of dwellings and therefore any proposals that come forward have to be in accordance with the Councils approved and adopted policies.

9.0 Scale, massing, bulk and layout

- 9.1 Design and external appearance is assessed against the National Planning Policy Framework, Core Policy 8 and Local Plan Policy EN1.

- 9.2 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).

- 9.3 Core Policy 8 of the Local Development Framework, Core Strategy, states that: "All development in the Borough shall be sustainable, of a high quality design, improve the quality of the environment and address the impact of climate change." Part 2 to that policy covers design and in sub section b) it states: "all development will respect its location and surroundings".
- 9.4 Policy EN1 of the Adopted Local Plan states that "all development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surrounding", in accordance with the criteria set out in that policy.
- 9.5 The design / appearance of the proposed building is not a consideration as part of this application, as it would be a reserved matter to be assessed at a later stage if planning permission is to be granted, however the scale massing and layout is. The scale and massing of the proposed building at five storeys in height will be larger and bulkier than the immediate neighbouring properties or any other property in Chapel Street. The extant outline planning permission permits in principle a 4 storey building, albeit with a set back at 4th floor level, which already sits one storey higher (2.7m) than surrounding buildings and therefore establishes a benchmark as to the maximum height, scale and bulk which is appropriate for the site. Taller buildings are generally contained to land west of Church Street with properties to the east, as is the application site, being more modest in height at a pedestrian scale and in keeping with the character of the area. Although there is a backdrop of taller buildings within the Town Centre, these are not immediate to the application site and do not form part of the character of the immediate area and do not justify additional height being supported on the application site. Furthermore a building five stories in height would be visible from the town centre and would result in an inappropriate and overbearing form of development within this part of the town centre. While it is noted that the top floor of the building has been designed with the balconies being enclosed with tinted glazing this still provides a further degree of mass and bulk. This will be in excess of that previously approved, which set a benchmark of what can be achieved on the site.
- 9.6 Paragraph 7.162 of the Core Strategy states that the Council will continue to develop an urban design and tall buildings strategy for the town centre based upon the principles that are emerging from the Heart of Slough comprehensive development scheme. This has identified that all development in the High Street should be of a "pedestrian scale". Chapel Street is a service road at the rear of the High Street and it is considered that development should not be any taller than that which has been previously approved.
- 9.7 The character of Chapel Street itself is characterised with 2 / 2.5 storey buildings, although there are small variations to this norm. The height issues will be further compounded by the fact that the building will occupy almost the entire site apart from a 1.5m strip to the western boundary and there would be no meaningful setting around the building. This will result in the building coming right upto the edge of the future widened footpath, further adding to a dominant and overbearing form of development which would be out of context with the existing street scene. While taller buildings could be supported in a Town Centre location they will still have to have a form of context with the surrounding area. With no other taller buildings in the immediate surrounding area, this building will look out of context with its location. Furthermore the top floor will have a balcony, which was previously approved so that the top floor of the building stepped back to provide some relieve, is now proposed to be enclosed by a tinted glazed window which would add further bulk and mass, causing further impact upon the character of the area. The building will be substantially higher than the

immediate surrounding buildings and taller than what has been previously approved on the site and would result in a development that is out of character with its surroundings. This is accentuated by the lack of any setting for the building due to its excessive site coverage. It is considered that the previously approved scheme was the very maximum that could have been achieved on the site and the further intensification of this would not be acceptable in terms of scale massing and bulk.

- 9.8 The development is effectively an infilling development between the rear properties of retail units that front onto the High Street. The current appearance is one of substantial flank walls with no active frontage onto Chapel Street. The proposal for ground floor A2 units will provide some active frontage at street level and this is a positive attribute of the scheme, although given that the building fronts a rear service road, an active road frontage would not normally be anticipated.
- 9.9 Notwithstanding the fact that matters of design and appearance are reserved for subsequent approval it is not considered that the harm caused by the excessive bulk, height and scale could be masked or minimalised through a different design approach.
- 9.10 An objection is therefore raised in terms of the scale, massing, bulk and positioning of the development as the Applicant has not demonstrated that the amount of development being sought can be satisfactorily contained within the site. The proposal is therefore considered to be in contrast with guidance given in National Planning Policy Framework, Core Policy 8 of the Local Development Framework Core Strategy and Policy EN1 of the Adopted Local Plan.

10.0 Impact to neighbouring residential properties / relationships to neighbouring buildings

- 10.1 The impact on adjacent residential properties is assessed against Core Policy 8 and Local Plan Policy EN1.
- 10.2 Core Policy 8 of the Local Development Framework, Core Strategy, states that the design of all development within existing residential areas should respect its location and surroundings.
- 10.3 Policy EN1 of the Adopted Local Plan states that “all development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surrounding”, in accordance with the criteria set out in that policy.
- 10.4 The proposed building will be sited so that it will be positioned a maximum of 22m from the rear habitable room windows of the dwellings that face onto Herschel Street but back onto Chapel Street. With the building increasing in size from that which was previously approved by an additional floor would have an overly large and overbearing appearance, as discussed above, this will result in an overbearing form of development when viewed from the rear of these properties. As previously discussed the fact that the top floor will have a balcony enclosed by tinted glass will do nothing in order to reduce the mass and bulk of the building and will still result in a building being larger and bulkier than that which was previously approved. While the separation distance, as discussed above, remains the same from the previously approved scheme (as a minimum it would be expected that the additional floor should be set back from the front elevation of the building to increase the separation distance between the new building and the residential properties opposite), the amount of development now sort could not be achieved on the site without impacting on the amenity of neighbouring properties. The increase in the height of the proposed building would have a greater impact upon the neighbouring properties in terms of overlooking and overbearing impact and a greater degree of separation would be required with a building that is substantially higher than that which was previously granted planning permission. This situation would be exacerbated furthermore for those who still retain a rear garden, having a detrimental impact upon the use

of these gardens also. It is considered that anything over and above that which was previously approved would result in further unacceptable impact on these residential dwellings.

- 10.5 There is a potential conflict between the existing clear fenestration within the rear elevation of MacDonald's close to the rear elevation of the proposed building (approximately between 7m and 9m) which is to include principle habitable room windows, and which could lead to a loss of privacy and amenity for future occupiers of the affected units. While the plans show that some of these windows would be obscurely glazed this would still result in issues of perceived overlooking and also impact upon the amenity of users of the proposed residential units as discussed further below.
- 10.6 Further impacts on neighbouring properties will be experienced by the fact that the proposal could inhibit future development/redevelopment options on neighbouring sites. The proposed building will be set off the eastern boundary by 0.5m and by 1.2m from the western boundary and with the installation of primary windows into the flank wall and rear elevations this will be a material consideration and potential restricting factor if neighbouring sites choose to redevelop in the future and would mean that these sites could not redevelop due to the impact that they would have on the proposed building. While it is accepted that this situation exists with the previously approved scheme the potential for the sterilisation of neighbouring land is increased under this application due to the additional number of side facing windows and may restrict the redevelopment of neighbouring land. No attempt has been made to try to overcome this problem by redesigning the internal layout of the flats or by providing larger flats which may overcome the issue.
- 10.7 Increase in noise and disturbance would not be materially worse from the previously approved scheme to warrant refusal and could be controlled by a certain extent via condition if the scheme was to be approved.
- 10.8 An objection is therefore raised on the Grounds that the applicant has failed to demonstrate that the layout, height, bulk and scale of the development would not harm the neighbouring residential amenity through overlooking, loss of privacy, overbearing impact and the potential sterilisation of neighbouring land. The proposal is considered to be inconsistent with Core Policy 8 of the Local Development Framework Core Strategy and Policy EN1 of the Adopted Local Plan.

11.0 Standard of accommodation

11.1 Room Sizes:

The Council's approved Guidelines for Provision for flat conversions, 1992 requires a minimum room size for the type of development proposed. Although these guidelines relate to conversions of flats they do provide a guide for new build development, such as proposed in this application. The guidelines state that living areas (sitting and dining) for 1 bed room flats requires an area of 14.86m², kitchen areas require 5.57m² and bedrooms require 11.14m². These guidelines go further to say that in the case of bedsits (studio units) the total floor space should not fall below those laid down for one bedroom flats 31.57 m². The studio flats that form the basis of this application have a floor area (living area and kitchen) of between just 24.88m² and 25.45m² as opposed to the minimum of 31.57m² leading to a shortfall of between approximately 6.69m² to 6.12m² and would result in an unacceptable cramped form of accommodation for future occupiers of these units having a detrimental impact upon their living standards, while failing to provide high quality housing. While it is accepted that some of the bedsits fell below these standards in the previously refused scheme the number of units and the amount by which they are substandard is increased under this application and such a shortfall is not considered to be acceptable and with an increased number of units an increase in the mix of type of unit would also be considered to

be appropriate. The proposed one bedroom dwellings would meet these room size standards.

11.2 Sunlight / Daylight:

Although no details have been provided to assess daylight and sunlight issues the living conditions for future occupiers have been improved by some degree with the inclusion of two common / meeting rooms and a utility room on the side facing the flank elevation of the neighbouring building that could result in an impact upon light and outlook to these rooms. While they are rooms that would benefit the occupiers of the property they are not considered to be habitable rooms as such and therefore overcomes the previous reason for refusal with regards to lack of light and outlook to these windows.

11.3 Entrance:

While it is acknowledged that a second entrance has been provided for the basement uses there is still only one shared entrance to the office and residential uses. While this was deemed to be acceptable for the previously approved scheme with the increase in the number of residents using the building it will result in congestion and conflict within the small entrance / lobby area and will also create security issues with a greater range of people having access to the residential and office areas of the building which will further impact upon the amenities of future residents, both residential and commercial.

11.4 Tenure:

The Applicant has sought to supply an increased number of small units at the lower end of the market, above that which was previously considered to be acceptable, but has failed at this stage to provide the necessary justification in the way of a market needs argument. However this would need to be considered in the round and it would not justify substandard accommodation. Whilst the previous tenure argument was never proven given the view taken on this application a reason for refusal could not be sustained on this occasion.

11.5 Whilst tenure can not normally be controlled through the planning system, the applicant previously sort to justify the standard of provision by entering into a legal agreement with the Council confirming that the properties would only be used for short term lets. It is not considered that this agreement can be carried forward to the current application which seeks to increase the number of units and the number of bed sits within the development. It is not considered that the development provides an adequate mix of dwellings in accordance with Core Policy 4.

11.6 It is not considered that issues relating to the layout and resulting quality of housing can be addressed through detailed design given the floorspace and dwelling unit numbers for which outline planning permission is sort and would not be in compliance with the National Planning Policy Framework and Core Policy 8 of the Local Development Framework Core Strategy.

12.0 Amenity Space

12.1 Amenity space criteria is assessed against Local Plan Policy H14.

12.2 Policy H14 of the Adopted Local Plan states that development will only be allowed with the provision of the appropriate amount of private amenity space with due consideration given for type and size of the dwelling, quality of the proposed amenity space, character of the surrounding area in terms of type and size of amenity space and the proximity to existing public open space and play facilities. This policy goes further to say that in smaller schemes, such as one bedroom flats, demand for real gardens is not so strong.

12.3 This scheme proposes mostly bed sit apartments and a few one bedroom units with no usable amenity area. Although not ideal the development does not comprise of family

accommodation for which the provision of amenity space is important it would not form a basis for refusal of the application as the site is within a Town Centre location where there is very limited private amenity space but is in close reach to publicly accessible amenity areas, such as at the High Street / Yew Tree Road junction or Upton Park slightly further afield.

- 12.4 The proposal is considered to be in accordance with guidance given in National Planning Policy Framework and Policy H14 of the Adopted Local Plan in terms of amenity space requirements.

13.0 Traffic and Highways

- 13.1 The relevant policies in terms of assessing traffic and highway impacts are Core Policy 7, Local Plan Policy T2 and the adopted parking standards.
- 13.2 Core Policy 7 requires that development proposals will 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, improving air quality and reducing the impact of travel upon the environment.
- 13.3 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.
- 13.4 The applicant is not required to provide any parking spaces for this development, which is consistent with Policy T2 in the Slough Local Plan. As the development is located in a sustainable location in close proximity to the railway station, bus station and other facilities, including 24 hour car parks, there is no objection in principle to the development providing no parking.
- 13.5 With this development a car free development, it is vital to both the residential and commercial elements of the scheme provide high quality cycle parking provision. The application proposes an area with larger cycle parking provision as the previously approved scheme, but no details are given as to how the storage area will work. Cycle parking must be installed to meet the Council's Cycle Parking Standards as set out in the Developer's Guide Part 3, Section 7 and no indication has been given at this stage as to how the cycle parking will be provided within this store.
- 13.6 An objection is therefore raised in terms of lack of cycle parking. The proposal is considered to be inconsistent with Core Policy 7 of the Local Development Framework Core Strategy and Policy T2 of the Adopted Local Plan.

14.0 Other Issues

- 14.1 This application involves the provision of more than 24 dwelling units and to comply with the requirements of Core Policy 4, 30% of the provision should be in the form of on site affordable housing. With respect to the extant outline planning permission, given the high proportion of bed sits equating to 66% of the total provision and the poor internal space standards, that such accommodation would be serving the lower end of the rental market and a proportion at lease being tied to short term lets only, a view was taken at that time, that the normal affordable housing provisions would not apply. However these proposals see an increase in the number of units to be provided a contribution should now be sort in relation to the additional number of units over and above that previously approved, for off site affordable housing as the type of development proposed would not meet the needs of people on the Council's waiting list. No viability statement has been produced with the application and the

applicant has stated that they are willing to enter a Section 106 Agreement towards transport or leisure facilities only.

- 14.2 Were this planning application to have been supported in planning terms, the applicant would have been required to enter into a Section 106 Planning Obligation Agreement the starting point for negotiations being payment of a financial contribution in full, in lieu of provision on site.
- 14.3 With respect to education contributions, similarly in respect of the extant outline planning permission, given the high proportion of bedsits within the overall scheme, it was decided at the time not to apply the normal requirements on the grounds that the type of accommodation was unlikely to attract families.
- 14.4 The thread that runs through the National Planning Policy Framework is that planning permission should be granted for sustainable development without delay. However these proposals are not considered to be sustainable for the reasons outlined in this report.

15.0 Summary and Conclusions

- 15.1 The Applicant has failed to demonstrate through the submission of illustrative plans and other details that the site is capable of accommodating a building of the height, scale and bulk proposed, nor the number of residential units proposed insofar as; this level of residential accommodation cannot be satisfactorily accommodated on the site without prejudicing the privacy and outlook for nearby residential properties; that having due regard to the siting of the development in relation to neighbouring uses it would potentially restrict development / redevelopment opportunities on those sites; that the quality and standard of accommodation for some future occupiers due to the cramped and inappropriate accommodation / room sizes would result in sub standard housing; and that the height coupled with a lack of any setting around the building results in a building which is out of context with its immediate surroundings. It is therefore considered that the scheme represents an over development of the site.

16.0 PART C: RECOMMENDATION

- 16.1 Refuse.

17.0 PART D: LIST OF REASONS FOR REFUSAL

1. The applicant has failed to demonstrate that the level of development being applied for can be provided on this site without compromising the character and appearance of the area through the buildings excessive bulk, scale and height. Furthermore at a proposed height of five stories the building will be visible from the High Street and will appear as an isolated and intrusive form of development given the domestic scale of the rest of the High Street. The applicant has failed to show that the amount of development sort can be delivered on this site without comprising the otherwise domestic scale of this part of the Town Centre and therefore the proposed development is thereby contrary to National Planning Policy Framework, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document: December 2008 and Policies EN1, of the Adopted Local Plan for Slough: 2004 (incorporated in the Composite Local Plan for Slough 2013).
2. The siting and juxtaposition of the proposed building would introduce an unacceptable

form of development for the occupiers of the residential properties at 6-10 Herschel Street, the rears of which face onto the south side of Chapel Street resulting in an overbearing form of development, and a loss of privacy for these occupiers and be visually intrusive for the occupiers of those properties with their amenity affected to an unacceptable degree. The development therefore has an unacceptable impact upon the amenities of neighbouring properties contrary to National Planning Policy Framework, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document: December 2008 and Policies EN1 and H13 of the Adopted Local Plan for Sough: 2004 (incorporated in the Composite Local Plan for Slough 2013).

3. Given the layout and scale of the building with its increased provision of flank windows over and above that previously approved will result in potential and perceived overlooking over neighbouring sites, to the extent that it would significantly affect the chances of future development on neighbouring sites, therefore having an unacceptable impact upon the amenities of neighbouring properties. The development is therefore contrary to National Planning Policy Framework, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document: December 2008 and Policies EN1 and H13 of the Adopted Local Plan for Sough: 2004 (incorporated in the Composite Local Plan for Slough 2013).
4. Given the layout and scale of the building and its proximity to the rear of the properties in High Street with habitable room windows facing onto properties on High Street will result in overlooking to the proposed residential units, contrary to National Planning Policy Framework, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document: December 2008 and Policies EN1, of the Adopted Local Plan for Sough: 2004 (incorporated in the Composite Local Plan for Slough 2013).
5. The proposed building by virtue of its internal layout will result in a number of the residential units having inappropriately sized rooms, thereby impacting on the amenity of future residents and failing to provide high quality housing, contrary to National Planning Policy Framework, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document: December 2008 and Policies EN1, of the Adopted Local Plan for Sough: 2004. (incorporated in the Composite Local Plan for Slough 2013).
6. The proposed building would result in an unsuitable singular entrance for commercial and housing resulting in a crowded and congested entrance leading to security and amenity issues with concerns over security and the failure to design out crime, and given the scale and intensity of the layout could not be adequately designed out at the reserved matters stage. The development is therefore contrary to National Planning Policy Framework, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document: December 2008 and Policies EN1, of the Adopted Local Plan for Sough: 2004 (incorporated in the Composite Local Plan for Slough 2013).
7. Insufficient provision has been made for secure cycle parking to the detriment of the efficiency of the highway network and given the scale and intensity of the layout this could not be incorporated without the loss of office floor space or dwelling units. As such the proposal is contrary to Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006-2026 Development Plan Document, December 2007) (incorporated in the Composite Local Plan for Slough 2013).
8. A holding objection is raised on the grounds that the applicant has failed to enter into an Agreement under Section 106 of the Town and Country Planning Act for payment of affordable housing contribution contrary to Core Policy 7 of the Local Development

Framework Core Strategy (2006 - 2026), Development Plan Document, December 2008 (incorporated in the Composite Local Plan for Slough 2013).

INFORMATIVE

1. The development hereby refused was submitted with the following plans and drawings:
 - (a) Drawing No. CS00 E, Dated 16/04/2014, Recd On 29/04/2014
 - (b) Drawing No. CS01 C, Dated 14/04/2014, Recd On 29/04/2014
 - (c) Drawing No. CS02 E, Dated 10/04/2014, Recd On 29/04/2014
 - (d) Drawing No. CS09 C, Dated 11/04/2014, Recd On 29/04/2014
 - (e) Drawing No. CS03 C, Dated 11/04/2014, Recd On 29/04/2014
 - (f) Drawing No. CS04 E, Dated 14/04/2014, Recd On 29/04/2014
 - (g) Drawing No. CS05 F, Dated 16/04/2014, Recd On 29/04/2014
 - (h) Drawing No. CS08 A, Dated 16/04/2014, Recd On 29/04/2014
 - (i) Drawing No. CS07 D, Dated 15/04/2014, Recd On 29/04/2014
 - (j) Drawing No. CS06 A, Dated 15/04/2014, Recd On 29/04/2014

2. In dealing with this application, the Local Planning Authority consider that no amendments would make the application acceptable and 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.