		Applic. No:	P/01163/006
Registration Date:	24-Jul-2014	**Ward:**	Colnbrook with Poyle
Officer:	Mr Smyth	**Applic type:**	**Major**
		13 week date:	23rd October 2014

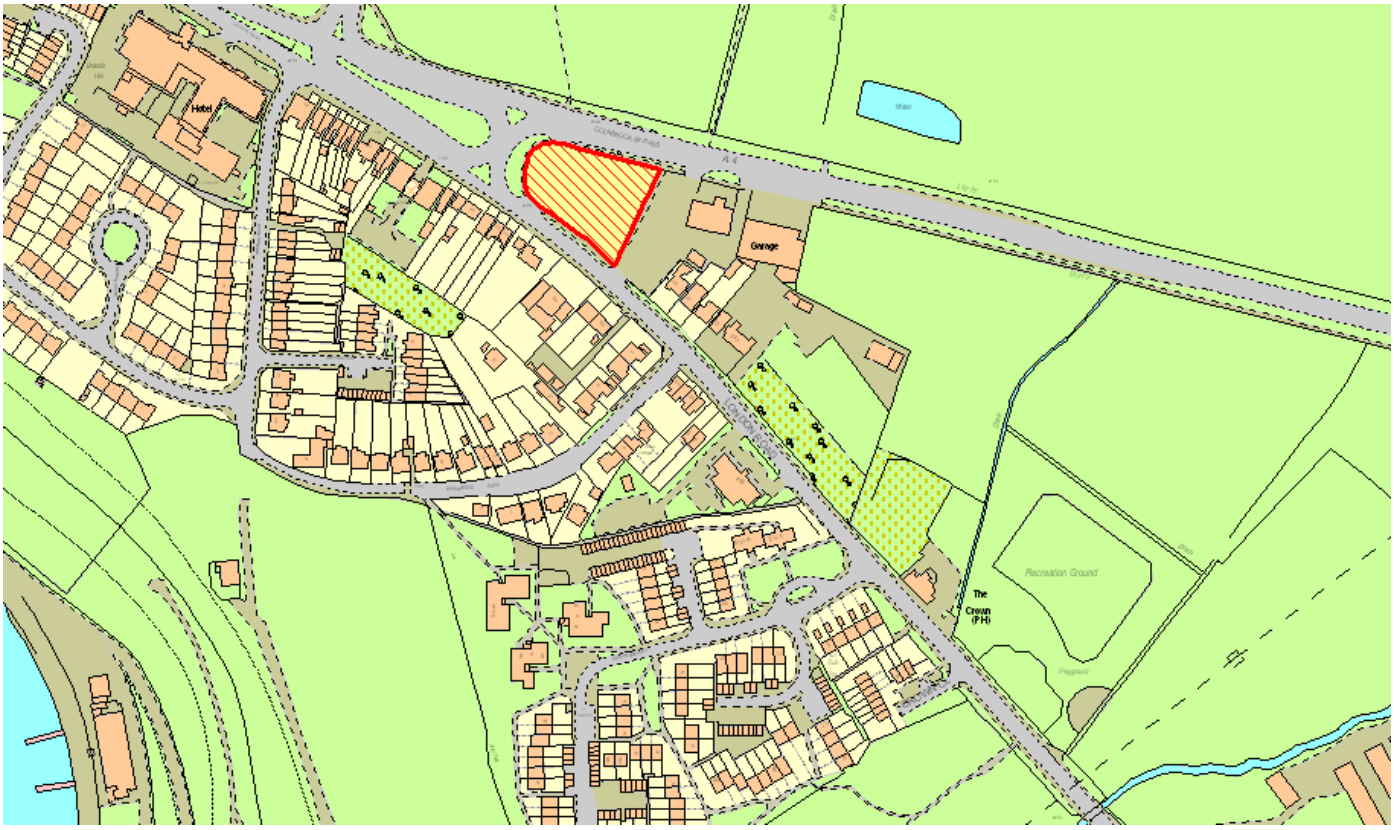
Applicant: Mr. R Ellis, MacLaren Homes Ltd

Agent: Ms. N Broderick, NMB Planning Ltd 124, Horton Road, Datchet, Slough, SL3 9HE

Location: Rogans Garage, 585, London Road, Colnbrook By Pass, Colnbrook, SL3 8QQ

Proposal: DEVELOPMENT OF SITE TO PROVIDE 61 RESIDENTIAL UNITS IN 3 SEPERATE BLOCKS IN A PART 5 / PART 4 / PART 3 STOREY DEVELOPMENT ON A PODIUM ABOVE A SEMI BASEMENT CAR PARK PROVIDING FOR 75 CAR SPACES (PART RETROSPECTIVE).

Recommendation: Delegate to the Acting Planning Manager



1.0 **SUMMARY OF RECOMMENDATION**

1.1 Having regard to the policies below the development is considered to be acceptable in principle and it is recommended that the application be delegated to the acting Planning Manager for completion of a Section 106 agreement, finalising conditions, making minor changes if required and final determination.

PART A: BACKGROUND

2.0 **Proposal**

2.1 This is a full detailed planning application for: *development of site to provide 61 residential units in 3 separate blocks in a part 5 / part 4 / part 3 storey development on a podium above a semi basement car park providing for 75 car spaces (part retrospective).*

2.2 The application is accompanied by full plans showing, elevations sections, floor plans and overlooking studies. In addition there are a number of supporting statements including:

- Planning Statement
- Design and Access Statement
- Supplementary Access Statement
- Transport Statement
- Environmental Noise Survey and Assessment
- Revised and updated Air Quality Assessment
- Flood Risk Assessment and position statement on drainage strategies
- M & E Outline planning statement relating to basement and residential unit ventilation systems
- Energy and Sustainability Feasibility Study
- Updated Groundwater Monitoring Report
- Financial Viability Assessment of the scheme

2.3 The development scheme continues to propose the completion of 3 separate residential blocks located upon a 2 metre high podium above a semi basement car park. A total of 61 residential units are proposed.

2.3 Within block A, which ranges between 3 and 5 storeys in height, a total of 24 units are proposed. Historically 23 units were proposed together with a gym area on the ground floor. This has been changed to a 2 bed flat

2.4 Block B ranges in storey height, single storey to 4 storey containing a total of 15 units, again one additional unit following the conversion of a large store area on the ground floor of block B to a ground floor one bed flat.

2.5 In respect of block C, fronting onto the Colnbrook by Pass this block ranges in height from 5 storeys down to 3 storeys where it abuts the eastern boundary and contains 22 residential units. One additional apartment is proposed on the top floor of block C in order to provide a more cohesive plan to the third floor given the exact positioning of the super structure which has been surveyed by the applicant

2.6 Within the central podium courtyard a landscaped area is proposed with access down to street level both on the London Road and the Colnbrook by Pass elevations of the scheme

2.7 In elevation detail, a number of the apartments have associated balconies with glass

balustrading to the front edge varying in height from 1.5metres to 1.7metres depending on the balconies location in order to ensure no obvious direct overlooking or loss of privacy issues to neighbouring owner occupiers.

2.8 A proposed material pallet has been provided which seeks to identify a themed colour for each of the three individual blocks to give them a distinctive feel, together with a common material pallet in terms of balcony, weatherboarding, terraces, and entrance door features to provide a cohesive scheme overall.

2.9 In terms of access, vehicular access is gained via a ramp from the London Road to a basement car park which provides onsite parking for 75 vehicles of which four spaces are designated disabled wheelchair accessible spaces. Cycle provision on a one for one basis is provided within three separate cycle storage areas, two within the basement and one larger cycle store accessed via
the podium level.

2.10 Following extensive pre-application discussions alterations to the existing concrete super structure are to be made to provide an at grade level entry to the refuse store located part way between the basement and podium levels of the London Road. The store will be accessed via stairs both from podium and basement level, and provide appropriate space for the provision of nine large euro bin refuse containers to serve the development. Alongside the podium area on the London Road, a pull in service layby area will be created to accommodate both refuse vehicles and service/delivery vehicles on a limited timed basis.

2.11 In the supporting Planning Statement the applicant advises that that all units on site will be private market units. As per the previously agreed scheme, the applicant is willing to enter into negotiations regarding an appropriate off site financial contribution towards affordable housing in the area.

3.0 **Application Site**

3.1 The site is located on the gyratory roundabout at its junction with the Bath Road A4, Colnbrook by Pass and London Road in Brandshill. Being approximately 27 metres wide at its frontage, it extends 62 metres eastwards and expands in width to form a triangular shape 52 metres wide at its eastern boundary, abutting the Gibtel Café site to the east. The site area measures 0.263 hectares.

3.2 The site has been a partially developed development site since 2008 with the concrete super structure forming a semi basement across the entire site, a podium deck some 2 metres above the surrounding ground level from which 3 building blocks are located

3.3 The podium and concrete frame and floor areas were constructed in 2008. The site was then closed, the hoarding around the site remains, together with a number of stacked porta cabins which provided the site office accommodation during the construction period.

3.4 In the wider area, to the east of the site lies the large car parking area serving Gibtel Lodge and Café which fronts onto the Colnbrook by Pass, but which has vehicular entrance points both onto the Colnbrook by Pass and the London Road. This Lodge and Café area is a large, rambling, 2 storey building alongside which lies a large vehicle repair garage and car sales depot also fronting onto the Colnbrook by Pass

3.5 To the east of the Lodge and the garage area lies nos. 589 to 297 London Road, a series of large detached two storey residential properties.

3.6 To the south of the London Road lies a mixed of detached and semi-detached residential properties of varying styles and heights. It is noted that nos. 604 London Road is a 3 storey flat

roofed property set 15 metres from the London Road frontage. The remaining properties vary in nature and are set on a common building line some 5 metres from the highway boundary.

3.7 To the west of the site along the A4 lies a mix of residential and hotel developments, the latter having in recent times been substantially extended.

3.8 The A4 Colnbrook by Pass forms the main arterial route from Slough to Heathrow and West London. At the present time the bypass is single lane in either direction with a significant central hatched area.

3.9 To the north of the Colnbrook by Pass lies a mature belt of vegetation with open farmland to the north. This forms the southern boundary of a large mineral working site, access which is gained via Sutton Lane, and forms the southern boundary of the Metropolitan Green Belt.

4.0 **Site History**

4.1 Historically the site was occupied by Rogan's Garage and petrol station with a car repair and storage and breaking of vehicles business.

4.2 Planning permission was granted in February 2006 for the redevelopment of the site for 58 nos. 1 and 2 bed apartments (Reference P/001163/004). This scheme was on behalf of Barretts

4.3 Following the subsequent acquisition of the site by Rigsby New Homes, a revised application was submitted under Planning Reference P/01163/005 in July 2007. This scheme again represented a 58 unit development with semi basement car park.

4.4 The revised scheme was the subject of an approval in principle resolution by Slough Planning Committee on the 8th May 2008, subject to the completion of a Section 106 Agreement.

4.5 Long and protracted negotiations took place in respect of the 106 Agreement including the provision of financial contributions towards affordable housing off site in lieu of the historically provided 21 affordable units on site.

4.6 During the course of these negotiations on site construction commenced and close working between Planning Officers and the then architects sought to resolve and keep up with the evolving construction in terms of the submission of amended plans to correlate to what was being constructed on site.

4.7 In particular the original planning drawings showed the podium above the sub basement car park to be set approximately 1 metre above the neighbouring footpath level. However, the building as being constructed in terms of the super structure on site is approximately 2 metres above the surrounding footway level
as a result of technical requirements.

4.8 At a subsequent Meeting of Planning Committee on 8th May 2008 a supplementary report was submitted for consideration. That report was a position statement which advised Members as to the then current position relating to the site. Members were advised that all works had at that time stopped on site and the developers had submitted or were in the process of submitting details to allow some of the proposed pre commencement planning conditions to be deleted or re-worded such that the development could proceed following completion of the Section 106 Agreement and the subsequent issue of a formal grant of planning permission. The general approach was agreed by Members at that Meeting.

4.9 The agreed Section 106 Agreement was near to completion, although there were still outstanding matters relating to land contamination and drainage. Unfortunately at this point the owners and applicants of the site went into receivership following the economic downturn

across the country, all works ceased on site and the Section 106 Agreement was not completed.

4.10 Following acquisition of the site by McLaren Homes Ltd in 2011 initial pre application discussions took place with a view to exploring the opportunities on the site. Given the ongoing economic difficulties these discussions halted, and Officers took the view that any future application coming forward would be substantively different from the outstanding application P/01163/005 which would require a fresh application. As such a deemed withdrawal was made on the application which was at that time still undermined (P/06113/005).

4.11 The original extant permission P/01163/004 has also now time lapsed in February 2009 and as such there remains no permissions on site. The structures that exist on site have no planning permission and are unauthorised. Since all work stopped on site, the site has continued to deteriorate and presents an ever worsening eyesore in a highly visible location on the A4 at one of the main entrances to Slough.

5.0 **Neighbour Notification**

5.1 The following neighbours were consulted:

The Occupier, 560, London Road, Slough
The Occupier, 560, London Road, Slough, SL3 8QF
The Occupier, 561, London Road, Slough, SL3 8QE
The Occupier, 562, London Road, Slough, SL3 8QF
The Occupier, 563, London Road, Slough, SL3 8QE
The Occupier, 564, London Road, Slough, SL3 8QF
The Occupier, 565, London Road, Slough, SL3 8QE
The Occupier, 566, London Road, Slough, SL3 8QF
The Occupier, 567, London Road, Slough, SL3 8QE
The Occupier, 568, London Road, Slough, SL3 8QF
The Occupier, 569, London Road, Slough, SL3 8QE
The Occupier, 570, London Road, Slough, SL3 8QF
The Occupier, 571, London Road, Slough, SL3 8QE
The Occupier, 572, London Road, Slough, SL3 8QF
The Occupier, 573, London Road, Slough, SL3 8QE
The Occupier, Post Office, Brands Hill Post Office, 574, London Road, Slough, SL3 8QF
The Occupier, 576, London Road, Slough, SL3 8QF
The Occupier, 578, London Road, Slough, SL3 8QF
The Occupier, 580, London Road, Slough, SL3 8QF
The Occupier, 582, London Road, Slough, SL3 8QF
The Occupier, Colnbrook Garage, And The Cottage, 585, London Road, Slough, Berkshire, SL3 8QQ
The Occupier, 588, London Road, Slough, SL3 8QF
The Occupier, 589, London Road, Slough, SL3 8QG
The Occupier, 590, London Road, Slough, SL3 8QF
The Occupier, 591, London Road, Slough, SL3 8QG
The Occupier 592, London Road, Slough, SL3 8QF
The Occupier, 593, London Road, Slough, SL3 8QG
The Occupier, 594, London Road, Slough, SL3 8QF
The Occupier, 595, London Road, Slough, SL3 8QG
The Occupier, 597, London Road, Slough, SL3 8QG
The Occupier, Airport Motors (London) Limited, 597, London Road, Slough, Berkshire, SL3 8QG
The Occupier, 598, London Road, Slough, SL3 8QF
The Occupier, 600, London Road, Slough, SL3 8QF
Mr. & Mrs. E Jasnikowski, 602, London Road, Slough, SL3 8QF

The Occupier, 604, London Road, Slough, SL3 8QF
The Occupier, 606, London Road, Slough, SL3 8QF
The Occupier, 608, London Road, Slough, SL3 8QF
The Occupier, 616, London Road, Slough, SL3 8QH
The Occupier, 618, London Road, Slough, SL3 8QH
The Occupier, 620, London Road, Slough, SL3 8QH
The Occupier, 622, London Road, Slough, SL3 8QH
The Occupier, 624, London Road, Slough, SL3 8QH
The Occupier, Jocks Café, London Road, Colnbrook
The Occupier, 2, Springfield Road, Slough, SL3 8QJ
The Occupier, 3, Springfield Road, Slough, SL3 8QJ
The Occupier, 4, Springfield Road, Slough, SL3 8QJ
The Occupier, 5, Springfield Road, Slough, SL3 8QJ
The Occupier, 6, Springfield Road, Slough, SL3 8QJ
The Occupier, 7, Springfield Road, Slough, SL3 8QJ
The Occupier, 8, Springfield Road, Slough, SL3 8QJ
The Occupier, 1, Crown Cottages, London Road, Colnbrook
The Occupier, 3, Crown Cottages, London Road, Colnbrook

A letter has been received from the occupier of 602 London Road raising the following concerns:

- The basement has resulted in the ground floor of the development being level with the first floor of the objector's house.

Response: The podium is set about 2 metres above street level, approximately 1 metre higher then originally proposed. Whilst far from ideal, at the time the application was being determined it was advised that this was due to technical reasons.

- It is noted that planning permission was not granted why has nothing been done.

Response: At the time when the planning application was live officers were trying to work with the developers to secure completion of the development. Unfortunately, since that time it has simply been a casualty of the recession during which time it has always been hoped that the scheme could be resurrected and completed.

- Overshadowing from Block A, the super structure of which is already constructed to 4 floors. Any additional floors would make this worse. It is noted that the east elevation has been altered to reduce its impact on the neighbouring business premises.

Response: Block A ranges in height between 3 – 5 storeys above the podium level and 5 storeys on the frontage dropping down to 4 storeys on the London Road south facing elevation. As the development sits approximately north of 602 London Road it would not lead to significant overshadowing or loss of sunlight.

- There will be a loss of privacy with residents in Block A and Block B being able to look into our back garden and being able to look into our kitchen, dining room and bedrooms.

Response: Whilst it is acknowledged that the occupiers of no. 602 London Road may perceive direct overlooking, a window to window distance of approximately 27 metres is achieved across a main road which complies with general planning guidance. The minimum window to window distance is 21 metres.

With respect to overlooking of the rear garden from the upper floor flats, the deposited plans show some overlooking of the rear part of the back garden over the top of the existing house,

however this is over a distance of 68 metres. There would be no direct overlooking of the private sitting out area immediately to the rear of the house.

- There is insufficient car parking for both residents and visitors. There are already parking pressures in the area and this will make the current situation worse.

Response: A total of 74 no. car parking spaces are proposed to serve 61 no. flats. On the basis that 1 no. car parking space is allocated to each of the 1 bed flats and studios (25 no.), which is consistent with similar provision across sites in other parts of the Borough, then for the remaining 32 no. two and three bedroom flats, provision equates to 1.35 no. spaces per dwelling unit.

Whilst it is acknowledged that this falls below the Council's guidelines of parking standards, an argument has been made on grounds of locational sustainability. In the submitted Transport Statement it is shown that there are 9 no. peak hour buses to Heathrow, 8 peak hour buses to Langley and 13 peak hour buses to Slough from bus stops within 400m of the site. Access to bus stops will be improved by the provision of an uncontrolled crossing point at the existing island on the south eastern corner of the Colnbrook gyratory. In addition provision is made on site for high quality cycle parking within secure stores, both within the basement and on the podium.

The general approach to parking has been accepted by the Council's Transport Engineers and does not justify a refusal of planning permission.

- Concerned about the adequacy of the layby and the ability of service vehicles to turn right across the London Road.

Response: The provision of a layby is the Transport and Highway engineer's preferred means for servicing the Building, given the constraints of the existing structure. It would be unrealistic to try and control the movement of lorries leaving the layby.

- Concerned about the location of the bin store and Layby which are sited directly opposite the objectors house. There will be issues of smell and discarded rubbish.

Response: The bins will be housed at semi basement level and collection will be via a door, directly onto the pavement on collection day. This is preferable to the original proposal which was to site a large bin store on the podium. It also allows the pedestrian ramp to be removed which was undesirable in design
and street scene terms.

- Existing surface water and foul sewers are at capacity. Water pressure is already low.

Response: Connections to the existing surface water and foul sewers will require the consent of Thames Water. Water supply is also the responsibility of Thames Water.

Letter of Objection also received from the neighbouring owner of that adjoining site known as Jocks Café.

- In previous objection letters relating to the Development the LPA was advised that the development progressed without a Party Wall Agreement having been completed because the works were not being carried out not in accordance with the proposed drawings.

Response: The site has a complicated history, however, the failure of the then developer to

enter into a Party Wall Act is not a matter for the local planning authority and is covered by separate legislation.

- The objector has pointed out the numerous variations from the original approval including: the excessive height of the boundary wall with the neighbouring site, which would restrict the development potential of the neighbouring site. The overall height of the development is approximately 2m higher than the original planning approval. There is a potential loss of privacy arising from the proximity of flank wall windows and balconies in relation to the site boundary.

Response: Whilst officers are aware that the structure which exists has been built without the benefit of planning permission. At the time it was considered preferable to work with the then developers to secure the best development possible whilst having regard to the deviations from the original scheme. It is fully acknowledged that it less than desirable to have a podium which sits some two metres above the neighbouring footway, however, it would not be economically to remove the existing structures on site and start development from scratch. Whilst the overall development will be higher than the original designs, any increase in height is being kept to a minimum, by squeezing internal floor to ceiling heights Officers are keen to see the development completed and to remove an eyesore for the local area. The current scheme will be built to a high specification. During pre application negotiations care has been taken to alleviate any direct overlooking of the neighbouring site, by reducing the number of windows within the flan elevation, requiring flank wall windows to be obscurely glazed and high level opening, requiring privacy screens to balconies, and ensuring that appropriate terraces are available for maintenance purposes only. The applicant has submitted an overlooking appraisal of the neighbouring site, which demonstrates that with the various proposed physical obstacles in situ any overlooking would be limited. It should also be noted that the neighbouring site is a commercial and not residential site, for which there is a reasonable expectation that at some future date would come forward for a residential scheme of redevelopment.

6.0 **Consultation**

6.1 **Transport and Highways**

This is a development site that was commenced without planning consent being granted, but the original application in 2006 sought to convert a petrol filling station with vehicle sales to 58 flats. The development commenced without the S106 agreement being signed and was not built to the plans that were originally submitted, but during the construction period the contractor and the developer went into administration and the development remains half built today.

This application seeks to amend the original scheme to what was part built on-site and also to increase the number of units from 58 flats to 61 flats. The scheme has been modified to take account of some fundamental flaws in the original design to which were made significantly worse when the basement floor was built at a higher height than originally planned.

The proposed development seeks to create 25 x1 bed flats, 32 x 2 bed flats and 4 x 3 bed flats.

Detailed pre-application discussions were held with the developer and his consultants and a Transport Statement has been submitted.

Trip Generation
The previous use of the site was as a vehicle garage and car showroom and would generate in the order of 333 trips per day and the proposed residential development would generate 239 trips per day and this agreed. Therefore the proposed site will be a reduction on the previously consented use.

Vehicle Access
Vehicular access is to be located adjacent to the adjoining access to the café and bed and breakfast development. The access is located as far away from the gyratory as possible which is a benefit of the scheme as the previous development access was located much closer to the junction. In order to achieve this it meant that the access was adjacent to the access to the café.

The radii on the access is proposed at 4.5m to help reduce vehicle speeds turning into the site. The specific detail of this should be agreed at the S278 stage.

Visibility splays of 2.4m x 61m can be achieved to the west and 2.4m x 65m to the east which is considered acceptable. The visibility splay will pass through the proposed loading bay that is to be sited between the vehicular access and the gyratory. This is for service vehicles only and the layby will be covered by waiting restrictions.

Pedestrian visibility splays have been provided on both sides of the vehicle access of 2.4m x 2.4m.

Pedestrian Access
Pedestrian access to the site will be taken from both the north and the south sides of the development by way of a flight of steps. In order to make the development accessible for those with mobility problems a lift is being provided between the footway level and the podium on the south side of the development.

Cycle Access
The main cycle store is accessed from the podium level and therefore the proposed lift between the footway and the podium needs to be wide enough to accommodate bicycles and it is shown as being 1.6m deep by 1.1m wide. This is considered acceptable, but there does need to be a cycle running channel on one of the external staircases which provide an alternative for cyclists to use if the lift was out of order. In addition there are two cycle stores located at basement level and these can be accessed using the vehicle ramp which is considered acceptable.

Servicing
A servicing bay 28m x 4m is being provided along the southern side of the development and this is to be used by refuse vehicles and delivery vehicles only. It will be covered a traffic regulation order and a contribution of £3k should be secured through the S106 agreement to fund this.

In the new scheme the footway is located at the back of the servicing layby which falls within the ownership of the site and therefore the developer will need to dedicate this land to the highway authority to be maintainable at the public expense. This will need to be secured in the S106 agreement and the works undertaken within a S278 agreement. Tracking of the service layby has been undertaken using a 10.22m long refuse vehicle as used by SBC refuse collectors and is considered acceptable.

In the previous scheme the refuse store was at podium level, but due to the implementation of the previous scheme at a different level to what had been agreed it was no longer feasible to provide a refuse and recycling store at podium level accessible by ramps. Therefore at the pre-application stage it was requested that a refuse store was provided at the level of the footway on London Road as there was no other realistic way to provide the storage that was accessible for residents and refuse collectors. The proposed solution is welcomed.

Car Parking

The development has 75 car parking spaces of which all are located at basement level. Access to these spaces from the flats is via lifts or staircases. Some of the spaces within the car park fall below the minimum 2.4m width, but tracking (for a large estate vehicle measuring 4.71m) has been provided for virtually all of the parking spaces and whilst some of the spaces will be tight to manoeuvre in and out of, the proposal is the best that can be achieved given the site constraints and is therefore acceptable.

The 75 spaces is below the parking standards as set out in the Slough Local Plan. However the proposed provision of at least 1 space per flat is considered acceptable in this location, as the site does benefit from being on 6 bus routes, which have a high number of services running throughout the day, evenings and weekends.

The developer has also agreed to make the residents of the development ineligible to receive parking permits for any existing or future residents parking scheme. Previously the applicant has offered to fund a parking survey in the vicinity of the site. However it is noted that a residents' parking scheme was implemented previously in the vicinity of the hotel, but after an 18 month period it was discontinued and therefore I am willing to accept that developer does not need to fund a scheme for this development so long as they agree to the s106 requirement on ineligibility of parking permits.

Whilst the basement car park has already been constructed it should be designed in accordance with The Institution of Structural Engineers publication "Design Recommendations for Multi-storey and Underground Car Parks – 4th Edition" to ensure it will operate safety and provide unimpeded ingress and egress for the specified number of parking bays. It is likely that the car park will not be able to fully meet this standard due to the way it has already been constructed, but where improvements to it can be made they should be undertaken to accord as closely as possible to this publication.

Cycle Parking
The applicant has provided cycle parking at podium level and at basement level for 61 spaces. In the pre-application discussions I encouraged where possible to put in higher quality parking where possible. In the basement car park 12 spaces are being provided in two separate stores. These could be provided as individual bike stores measuring 2m x 1m which would provide a much higher level of security than communal. I would request that this change is made as there would be only a small increase in cost to the developer.

Access to cycle parking at the podium level is via the lift, but it would also be practical to provide a bicycle running rail on one of the set of steps so that if the lift was to fail then cyclists could access the podium by pushing their bikes up the side of the steps.

Highway Improvements
In the previous scheme relating to this site the developer agreed to make changes to the traffic island at the junction of London Road with A4 Colnbrook Bypass (Sutton Lane junction) to create an additional flare lane to improve traffic flow and it has been agreed that the developer will still provide this improvement. The scheme is partially shown in Drawing C82858-SK-002. This drawing also shows the provision of tactile paving at the junction and the service layby.

In the pre-application meetings it was highlighted that when the hoarding was placed around the site along the A4 Colnbrook bypass frontage it contained within it the existing footway. I understand that a temporary footway was constructed in the existing verge, but this surface is very poor and not suitable for an adopted footway. It is also not known what damage has been made to the footway behind the site hoardings and therefore as part of the S106 agreement I would request that the footway and its former verge is reconstructed along the length of the site frontage with A4 Colnbrook Bypass to the adoptable footway standard. This is not currently shown in the drawings and therefore will need to be added and I would suggest that there is a

separate drawing prepared that covers all of the Highway works so there is no confusion.

In order to provide the service layby and footway along the London Road frontage of the development some land will need to be stopped up and some land dedicated to the highway authority and this is identified in Drawing C82900-F-005.

S106 and S278 Agreements
The applicant will need to enter into a section 106 agreement with Slough Borough Council, this s106 agreement will obligate the developer to enter into a section 278 agreement for the satisfactory implementation of the works identified in the transport and highways schedules and for the collection of the contributions schedule.

The transport and contributions schedules:
- £5,000 for stopping up of the highway costs (prior to commencement);
- Residents of the development will be ineligible to apply for a parking permit in any existing or future residents parking schemes;

The highways schedule includes:
- Temporary access point
- Installation of crossover / junction
- Reconstruct the footway fronting the application site on A4 London Road.
- Reinstatement of redundant access points to standard to footway construction
- Installation of street lighting modifications
- Drainage connections
- Reconstruction of footway
- Dedication as highway maintainable at the public expense, free of charge, of land as shown in Drawing C82900-F-005;
- Construction and dedication as highway maintainable at the public expense, free of charge, the footway on A4 London Road;
- Construction of the service layby on A4 London Road;
- Highway works to widen London Road to two lanes at its junction with A4 Sutton Road gyratory and implement tactile paving as shown in Drawing C82950 – SK – 001 Revision B – new drawing to be provided to show all highway works;
- Re-construction of the footway and verge along the frontage of the site with A4 Colnbrook bypass;
- Stopping up of the highway as shown in Drawing C82900-F-005;

Recommendation
Subject to securing the minor change to the cycle parking at basement level, the revised drawings showing S278 works; the S106 contributions and highway works and conditions, no highway objection is raised.

6.2 **Environmental Quality**

It is clear there are significant environmental concerns about groundwater hydrocarbon contamination, gas venting of the site, and residual contamination on site. These need to be effectively remediated and controlled to prevent risk of exposure to future occupiers of the site.

This development is located within a prominent location of Brands Hill immediately adjacent to London Road A4 (Colnbrook-by-pass), B3378 London Road and A4 gyratory. The development is for 61 residential flats within 3 blocks on the site. Air pollution and noise exposure will be experience on all three flanks. With particular sensitivity of the ground floor flats facing the A4 gyratory and Colnbrook by pass being the most exposed to pollution. It should be noted this development area is subject to some of the worst air pollution levels within the Borough from

road traffic.

The site falls within the Brands Hill AQMA Order 2. The air quality levels far exceed the UK air quality objectives for Nitrogen Dioxide (NO_2) and the earliest compliance dates with the EU limits/UK objective (are the same) for (NO_2) are predicted not to be achieved before 2020 without significant intervention measures. The air quality objectives are aimed at protecting human health. Therefore clearly air quality is a material planning consideration in this case.

The area also experiences very high environmental noise levels from both road traffic, which has a significant HGV composition due to the industrial nature of the local area, and aircraft noise from Heathrow operations. The applicant has submitted a number of environmental assessments in relation to this scheme.

The development itself proposes 75 car parking spaces and 61 cycle spaces. In respect of trip movements from the development on the local highway the impact on existing air quality is insignificant from a simple magnitude of change assessment viewpoint. However, appropriate mitigation measures need to be included within the design to help off-set the cumulative impact of all future developments within the area. In this context the developer should install electric vehicle charging infrastructure to service 8 car parking spaces (i.e. 4 dual EV posts or wall mounted posts).

It is the impact on the development from existing significant air pollution and environmental noise that needs to be carefully considered and appropriate mitigation needs to build into the final design.

Looking at the current proposed design and layout plans the most susceptible blocks are blocks A and C. Ideally, I would want to change the design to reduce the exposure to ground and 1st floor flats in particular within both these blocks (Flat 40, flat 41, flat 42, flat 45, flat 46, flat 47, flat 43 (second bedroom), flat 48 (second bedroom), flat44 (second bedroom), flat 39 (second bedroom), flat 3, flat 4, flat 2, flat 8, flat 7, flat 9. The flats at second floor and in Block B will also be exposed to poor air quality but at lower concentrations due to the distance from the highway they will also need ventilation treatment.

All blocks will experience road traffic and aircraft noise. However, it is clear with the current design that clean air ventilation/filtration systems needs to be implemented on all the blocks. The details and design of any ventilation/filtration system to ameliorate the impact of NO_2 exposure needs to be covered by a condition and approved by the LPA.

The air quality report has been prepared by WSP and the scope, modelling process and method of assessment is sound and had been agreed with me beforehand. The consultant has taken a very conservative approach whereby they have assumed no improvement (reduction) in vehicle emission factors and background concentrations between 2012 (model verification year) and 2019 (completion of the development). This approach is welcomed. I am broadly supportive of the report findings and recommendations. It is interesting to note that the opening of the proposed development is 2019 I would have thought the development would have been completed much sooner.

My recommendations, unlike the consultants, do include a mitigation package of providing EV charging infrastructure. Such a measure will be common practice in Slough and is supported by our town centre air quality management plans and will also be incorporated within our low emission strategy to be developed in 2015 along with a new AQAP for Brands Hill (Slough AQMA No 2).

Construction Impacts – The development is likely to have temporary effects on local air quality during construction phase, in particular dust and particulate emissions (PM_{10}) from storage and

handling of aggregates, construction activities and vehicle movements. The impact is unlikely to affect public health but could give rise to 'nuisance dust' and hence adverse impact on the amenity. Therefore, there is a need for the developer to design a mitigation scheme to minimise these impacts. A construction environmental management plan (CEMP) will need to submitted and approved by the LPA. The plan shall include all the recommendations contained with the WSP Air Quality Assessment Report 2014 for general dust management sections 6.1.6 to 6.1.55 inclusive.

The new development will require mitigation due to the exposure of elevated NO_2 concentrations which can give rise to public health impacts. It is interesting that the consultant through their comprehensive air quality modelling has confirmed the main impacts are in the flats I identified earlier in this memo. I refer to Appendix G – Assessment Results. It would have been useful if the consultant had identified the flats as opposed to the area of the blocks that are exposed to Air Pollution Exposure Criteria (APEC) APEC-B and APEC-C. There are 7 new receptors exposed to APEC-C and 9 exposed to APEC-B.

The highest predicted annual mean NO_2 concentration within the application site is 57.2 $\mu g/m^3$ at receptor 10 (which represents exposure at ground floor location with the northwest corner of Block A this corresponds to Flat 4. The APEC is a London Councils Air Pollution Exposure Criteria which is not adopted in Slough. An APEC-C rating would "lead to refusal on air quality grounds should be anticipated unless the LA has specific policy enabling such land use (in this case a lapsed planning permission) and ensures best endeavours to reduce exposure is incorporated". Those receptors that are exposed to APEC-B there may not be sufficient air quality grounds for refusal, however appropriate mitigation must be considered (e.g. proven ventilation systems, internal layout considerations, winter gardens, parking etc...

Therefore I agree completely with the consultant's recommendations and conclusions with respect to future occupants of the building and mitigation. Section 6.2.2. The introduction of new exposure into an area with elevated NO_2 concentrations will require mitigation. It is therefore recommended that designs consider the provision on non-opening windows for at least the street-facing facades on the ground, 1st and 2nd floors. Section 6.2.3 Further to this, it is recommended that a means of mechanical ventilation (ideally with its intake at roof level, or at an elevated position within the central portion of the site (away from surrounding roads be considered for all residential units within the proposed development. (I would suggest this be made a planning condition). The details and design of any ventilation/filtration system to ameliorate the impact of NO_2 exposure needs to be covered by a condition and approved by the LPA.

We turn to environmental noise which is also a material consideration. A report by Hann Tucker Associates has been completed for the site, and includes an environmental noise survey. It is interesting that two noise surveys 10 years apart have been carried out and allows comparison and it is remarkable that the daytime LA_{eq}(16-hour) levels are very similar for the site and has only increased by 1.1 dB. The nightime results are even more fascinating with a significant increase in the night-time LA_{eq}(8-hour) of 2.9dB. Make no mistake this is a significant increase in noise level from environmental sources (road traffic and aircraft noise) to the area. However, the monitoring period of only 1 day and night is so short to draw any useful conclusions.

What we can deduce from this information is that the noise levels affecting the northern elevation of the site, where block A and C will be located is significant, particularly the night-time noise impact. I am pleased the consultant has referenced our conversation and agreed to follow BS8233: 2014 criteria and WHO guidelines which are discretionary but are also considered acceptable criteria to use across the acoustic industry. We should at some later date incorporate these into our planning policies to provide a consistent approach to all developments across the Borough.

So we now need to focus the attention on suitable, robust sound insulation and ventilation measures to protect the internal habitable rooms of the development. Suitable internal noise standard are highlighted in sections 8.2.1, 8.2.2 of the report. I would advise the living area criteria of 40dB $LA_{eq,16hr}$ is acceptable. It is my view a more robust standard should be applied for the bedroom area during night-time, irrespective of BS8233 guidance; 30 dB $LA_{eq,8hr}$ should be used because this is a based on WHO guidelines which in turn are based on health impacts and associated epidemiological studies.

Therefore the developer will need to design a comprehensive sound insulation and ventilation scheme for each block and flat respectively, the standard of sound insulation and ventilation must meet the daytime and night-time internal noise criteria as outlined below.

Room Type	Period of time	Internal noise criteria
Living Areas (all)	Daytime (07.00 – 23.00 hours)	40 dB $L_{Aeq,\ 16hr}$
Bedroom (only)	Night-time (23.00 – 07.00 horus)	30 dB $L_{Aeq,\ 8\ hr}$

The package must be demonstrated by way of acoustic calculation and not typical noise reduction assumptions as reported in the Hann Tucker Report. In essence each component of the building fabric needs to be assessed to determine its acoustic integrity, the roof, window, walls, ventilation and doors and when combined the internal noise standard within each flat must be met. The details must be submitted and approved by the LPA.

I have no particular comments to make on the basement parking ventilation as this is covered by building control regulations. The apartment ventilation does not refer to acoustic ventilation which is likely to be required and does not specify the details and location of the ventilation for air quality protection and/or specifies where the air intake ductwork is located.

The proposal to install PV panels is welcome but it is important these do not compromise the location of the ventilation units.

All comments in blue are to assist you and I would ask you to consider the wording carefully in how best to lay down conditions for this development, and to ensure they meet the planning tests. We do require substantial details relating to the proposed, sound insulation, and ventilation measures including site plans and details or location, type and specifications and these need to approved by the local planning authority before the development commences.

The Developer is required to contribute £15,000 (£300 per flat) towards a continuous air quality monitoring station in Brands Hill. The contributions are to assist with the set up costs of the station and annual operating costs of the station. The station will include both a NOx analyser and Particulate (PM_{10}) monitor in Brands Hill and will be located close to the development.

6.3 **Housing Development**

Initial Comments

Our initial response for our housing requirement will be on-site and 30% target rent as per planning policy and our updated requirements are attached. The sizes of the units are quite crucial – we do not have a need for studio flats and we would wish to maximise the occupancy where possible to 2bed 4p and 3bed 6p. Therefore looking at the individual blocks the size of the units in Block C are better but as there are 22 units there would be an issue of a mixed

development in one block and would not make good management. Block B has 15 units but this has a studio, and the size of the 2 beds are small. This will therefore depend on whether the block can be refigured.

On a scheme of 61 units, our starting position is for on-site provision of 30% target rent as shown in the attached table.
Below are the comments we sent at pre-application stage, which broadly haven't changed, and appreciate that neither block A, B or C yield well to providing this on-site provision.

I have also attached the associated commuted sum payable in lieu of this on-site provision (£1,191,000).

Revised Comments
However given the design constraints and location of this development our Allocations Manager is willing to consider provision of shared ownership instead of target rented social housing. This tenure has a higher value than social rented so should assist viability. To begin negotiations Block C (22 flats) would be our preference, which represents 36% of the overall scheme.

6.4 **Land Contamination Officer**

The records related to potential contaminative land uses at the property and within 250 m of the property above have been reviewed.

Historical mapping indicates that the site was undeveloped until at least 1955. There is a garage on the site which is first evident on the 1970 OS map sheet 01 77 NE. The garage exists to date, as a filling station and garage repair shop. Colnbrook Garage is listed at 595 London Road from 1935 through to 1967. The garage business also carries out car maintenance and scrap services.

Our petroleum database indicates that there is an active petroleum license for Rogans Garage for 6 USTs to store diesel and petrol. The licence is for non-retail use.

Our records indicate that a pre-application for this site has been submitted (Pre-App/00414), correspondence relating to which was sent to you by Luiza Dumitrescu on 30/05/2014. Luiza mentions in her letter that a desk study was submitted as part of a previous planning application at the site (P/01163/005) which she has deemed suitable for any future planning applications at the site. She also states the need for additional ground investigation to be carried out in order to determine and delineate the extent of any residual contamination present at the site after the remediation works that were previously undertaken between 2007 and 2008. This will help to adequately assess the risks to human health and controlled waters, and also to demonstrate the site is suitable for its proposed use. The additional data to inform the above can be obtained either through additional ground investigation or through additional monitoring to be undertaken at the site:

- Additional ground investigation would be expected to cover as a minimum the areas where residual contamination is indicated as potentially still present in the remediation report; soil and groundwater samples should be analysed for the full range of volatile contaminants (BTEX, TPH CWG, VOC and SVOC).
- Alternatively, ground vapour samples could be collected through vapour wells installed directly beneath the basement slab, which would enable ground vapour monitoring at source;
- Assessment and modelling of the data collected either from the soil and groundwater samples or from the ground vapour samples should be undertaken in line with current guidance and toxicological data.

Based on the above the following condition should be placed on the planning permission relating to land contamination:

Phase 2 Intrusive Investigation Method Statement

Development works shall not commence until an Intrusive Investigation Method Statement (IIMS) has been submitted to and approved in writing by the Local Planning Authority. The IIMS shall be prepared in accordance with current guidance, standards and approved Codes of Practice including, but not limited to, BS5930, BS10175, CIRIA 665 and BS8576. The IIMS shall include, as a minimum, a position statement on the available and previously completed site investigation information, a rationale for the further site investigation required, including details of locations of such investigations, details of the methodologies, sampling and monitoring proposed.

REASON: To ensure that the type, nature and extent of contamination present, and the risks to receptors are adequately characterised, and to inform any remediation strategy proposal and in accordance with Policy 8 of the Core Strategy 2008.

Please note that it is recommended that specialist advice is sought with regard to the additional ground investigation / monitoring and the subsequent risk assessment, and that liaison and consultation is maintained with both Slough Borough Council and the Environment Agency.

In addition, depending on the findings of the investigation, this may trigger the remediation and validation conditions, so the conditions below should also be placed on the Decision Notice.

1. Phase 3 Site Specific Remediation Strategy

Development works shall not commence until remediation works have been carried out in accordance with a Site Specific Remediation Strategy (SSRS). The SSRS must first be submitted to and approved in writing by the Local Planning Authority. The SSRS shall, as a minimum, contain details of any additional site investigation undertaken with a full review and update of the preliminary Conceptual Site Model (CSM), the precise location of the remediation works and/or monitoring proposed, including earth movements, licensing and regulatory liaison, health, safety and environmental controls, and any validation requirements.

REASON : To ensure that remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use and in accordance with Policy 8 of the Core Strategy 2008.

2. Remediation Validation

No development within or adjacent to any area(s) subject to remediation works carried out pursuant to the Phase 3 Site Specific Remediation Strategy condition shall be occupied until a full validation report for the purposes of human health protection has been submitted to and approved in writing by the Local Planning Authority. The report shall include details of the implementation of the remedial strategy and any contingency plan works approved pursuant to the Site Specific Remediation Strategy condition above. In the event that gas and/or vapour protection measures are specified by the remedial strategy, the report shall include written confirmation from a Building Control Regulator that all such measures have been implemented.

REASON: To ensure that remediation work is adequately validated and recorded, in the interest of safeguarding public health and in accordance with Policy 8 of the Core Strategy 2008.

6.5 **Environment Agency**

The previous application at this site that was granted permission, of which has now expired,

was accompanied by extensive groundwater quality and contamination documents. We have reviewed the Soils Ltd Groundwater Monitoring letter dated 8 December 2011 supplied with this application. We have previously reviewed other documents:

- Soils Ltd Report on a desk study and intrusive investigation dated August 2004(for Colnbrook Garage)
- Part 2 Intrusive Report dated 26 August 2004 (for Colnbrook Garage)
- The Interpretive Report on Remediation dated September 2008

We understand that there has been no material change to the conditions of the site, therefore, the above documents reviewed address some of our concerns. However, the proposed development will only meet the requirements of the National Planning Policy Framework if the following measures as submitted with this application are implemented and secured by way of a planning condition on any planning permission.

Condition 1
No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. The results of the site investigation and the detailed risk assessment referred to in the site investigation scheme and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

2. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (1) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason
This site is located over the Taplow Gravels (Principal Aquifer) and we need to ensure that any historic contamination within soils and groundwater is not mobilised by this development. The original plan to remove contaminated soils within the entire footprint of the site was not completed, and therefore there is still uncertainty about the effectiveness of the remediation previously carried out on this site and whether the source of petroleum hydrocarbon contamination in soils has been removed.
The only groundwater results we have seen post remediation are from wells installed in July 2008 (BH1 = BHA and BH2 = BHB) more than a year after the groundwater remediation. From the drillers log description (BH1 and BH2) both boreholes are drilled into gravelly SAND. Borehole BH1 (latest) drilled and installed on 10th November 2011 is into sandy CLAY. Whilst it is appreciated (email from Soils Ltd - 20 June2014) that these differences might be attributed to subjectivity of the two different engineering geologists there is also the possibility that the borehole has been drilled into a lens of clay (reference BGS Lexicon for description of the Taplow Gravels). This borehole may therefore be acting as a sump and possibly the groundwater in this borehole is isolated from groundwater in the central part of the site. Dipping all boreholes on site (on one day) to measure groundwater levels would determine if groundwater was continuous across the entire site. We need to know if groundwater extends to new borehole BH1 in order to have confidence that it represents groundwater quality leaving this site. These groundwater level measurements will be used to determine if groundwater is hydraulic continuous across the site. Results will dictate what further site investigation or remediation is required on this site. This condition is in line with Slough Borough Council's Core Strategy, adopted 2008, Core Policy 8, section 3.

Condition
No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason
This site is located over the Taplow Gravels (Principal Aquifer) and we need to ensure that any historic contamination within soils and groundwater is not mobilised by this development. This condition is in line with Slough Borough Council's Core Strategy, adopted 2008, Core Policy 8, section 3.

Condition
The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface water that ensures that soakaways are not constructed into contaminated land has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason
This site is located over the Taplow Gravels (Principal Aquifer) and has historic contamination present of site. We need to protect the aquifer under the site from mobilisation of contamination due to the use of soakaways. This condition is in line with Slough Borough Council's Core Strategy, adopted 2008, Core Policy 8, section 3.

I*nformative:*
All sewage or trade effluent should be discharged to the foul sewer if available subject to the approval of Thames Water Utilities or its sewerage agent.

6.6 **Aircraft Safeguarding, Heathrow Airport Ltd**

The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to the condition detailed below:

Submission of a Bird Hazard Management Plan
Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

> *- Management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design' attached * See para below for information **

The Bird Hazard Management Plan shall be implemented as approved *on completion of the development* and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

Reason: It is necessary to manage the flat roofs in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport.

The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting; roosting or loafing must be dispersed by the owner/occupier when detected or when requested by BAA Airside Operations staff. In some instances it may be necessary to contact BAA Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Natural England before the removal of nests and eggs.

We would also make the following observation:

> *Landscaping*
> The development is close to the airport and the landscaping which it includes may attract birds which in turn may create an unacceptable increase in birdstrike hazard. Any such landscaping should, therefore, be carefully designed to minimise its attractiveness to hazardous species of birds.
> Your attention is drawn to Advice Note 3, 'Potential Bird Hazards: Amenity Landscaping and Building Design' (available at http://www.aoa.org.uk/operation & safety/safeguarding.htm).

We, therefore, have no aerodrome safeguarding objection to this proposal, provided that the above condition is applied to any planning permission.

It is important that any conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Heathrow Airport Ltd, or not to attach conditions which Heathrow Airport Ltd has advised, it shall notify Heathrow Airport Ltd, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

6.7 **Drainage Engineer**

It's a fairly straightforward site with a low flood risk except for the basement. I would like to see some risk assessment for water getting into the basement and measures to minimise or mitigate against that risk. Although the risks from natural sources are covered, manmade sources don't seem to have been included ie: sewer, water supply, reservoir and surface water from road down ramp.

With the changes in legislation since the previous development was abandoned I can see challenges with the location of proposed attenuation measures for surface water. These need to be discussed and resolved with Thames water and the council as highway authority unless attenuation can be provided within the site. Surcharge within the proposed outfall needs to be taken into account in the drainage design.

The applicant will need to discuss the detail of the drainage design with Thames Water

Developer Services. I'm not sure how keen they will be to adopt attenuation measures and the applicant may need to provide these within the curtilage.

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1 This application is assessed against the following national and local planning policies:

- National Planning Policy Framework & Planning Practice Guidance
- Core Polices, 1, 4, 7 8 and 12 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2012
- Policies H14, EN1, EN3, EN5, T2 and T8 of the Adopted local Plan for Slough

7.2 The application is assessed in accordance with the following:

- Principle of Development
- Design and Street Impact
- Impact on Neighbouring Occupiers/Uses
- Land and Groundwater Contamination
- Transport, Access, Servicing and Parking
- Drainage and Flood Risk
- Quality of Housing
- Air Quality & Noise
- Landscaping & Amenity Space
- Energy & Sustainability
- Financial Viability Affordable Housing & S106 Requirements

8.0 **Principle of Development**

8.1 At the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a "golden thread running through both plan making and decision taking". In respect of decision taking this means inter alia approving development proposals that accord with the development plan without delay.

Twelve core planning principles are identified which both should underpin plan making and decision taking. A number of these core principles are relevant to the current proposals being:-

- Always seek to secure a quality design and a good standard of amenity for all existing and future occupants of land and buildings
- Support the transition to a low carbon future in a changing climate, taking full account of flood risk, the reuse of existing resources and the encouragement for using renewable resources
- Encourage the effective use of land by reusing land that has previously been developed, provided that it is not of high environmental value
- Actively manage patterns of growth to make the fullest possible use of Public Transport, walking and cycling, and focus significant development to locations which are or can be made sustainable.

At paragraph 49 in respect of delivering a wide choice of high quality homes it states that housing applications should be considered in the context of the presumption in favour of sustainable development.

8.2 Core Policy 1 sets out the overall spatial strategy for Slough requiring all developments to take place within the built up area, predominately on previously developed land. The policy seeks to

ensure high density housing are located in the appropriate parts of Slough Town Centre with the scale and density of development elsewhere being related to the sites current or proposed accessibility, character and surroundings.

Core Policy 4 again emphasises that high density housing should be located in the Town Centre area and that outside the Town Centre the development will be predominately family housing at a density related to the character of the area. In particular, in suburban residential areas, there will only be limited infilling consisting of family houses which are designed to enhance the distinctive suburban character and identity of the area. The site is also not identified as a development site within the Slough Local Development Framework Site Allocation Document DPD.

As such the proposed housing scheme for high density flats does not strictly accord with the Planning Policy Guidance in the Core Strategy. However there are a number of mitigating circumstances which are set out as follows:

- A similar scheme for high density flats has previously been approved on the site, the planning permission for which pre-dated the LDF Core Strategy.
- This is a prominent gateway site which requires a high quality scheme which would is best achieved through the construction of a high density flatted scheme rather than through a traditional family housing development.
- The site occupies a reasonably sustainable location
- It is proposed to utilise the existing concrete structure on the site which brings with it significant sustainable opportunities in reusing previously developed land and a previously developed structure
- Given the sites location within an air quality management area, and with high background noise levels, due to the proximity of main arterial transport routes including the A4 dual carriageway and Heathrow Airport, a flatted scheme is more appropriate than a more traditional suburban family housing scheme which is less well suited to this location.
- The opportunities presented by the proposals to remove a local eyesore which has been abandoned for a number of years presents some significant environmental and visual gains, for this prominent gateway site.
- It would not be economically viable to remove the existing structure and redevelop the site for lower density family housing.

It is concluded that there is a good reasoned justification to allow a departure from Core Policy 1 and 4 of the LDF Core Strategy in this instance due to the mitigating circumstances as set out above and that the proposals are in accordance with the National Planning Policy Framework.

9.0 **Design and Street Scene Impact**

9.1 The scheme design has built upon the previous ‘in principle approved’ scheme which was the subject of the substantial super structure works currently present on site. The intention is to build upon the existing super structure to create a high quality design with similar elevational treatment and high quality finishes.

It is proposed to give each of the three buildings a distinct identity within the wider scheme, therefore the colour palette changes on each building. For each block, the colour of the rainscreen cladding is close to the colour of the facing brickwork, this will help unite the elevations and the interest is borne out of the change is scale between the different materials rather than a play with colour to differentiate the massing.

It is acknowledged that the semi basement car park is not sunken into the ground as much as

first approved. However adaptations to the floor to ceiling heights can ensure that the overall height of the proposed building is similar in bulk and mass to the previously approved scheme.

There have been extensive discussions with regards to the elevational treatment, in particular the treatment of the podium wall and the ventilation grill system around the base of the podium continue in order to ensure the elevations close to street level are broken down into more human scale elements. The incorporation of a mix of grill, tiling and glazing seeks to break the mass and scale of the completed development down. Planters around the edge of the podium allow for trailing plants and landscaping to add greenery and further soften the interface. It is acknowledged that there is limited scope for soft landscaping around the edges of the site, although landscaping proposals can be accommodated within the future highway verges to the London Road frontage, and along the front gyratory curve facing onto block A. The use of glazed screening also further helps to break up the mass of this part of the structure in terms of its impact at pedestrian level.

Whilst the development does not take on the character and appearance of its immediate surroundings, it is considered that this site is a prominent gateway site, which offers the potential for its own individual design and in the wider context, the area does have some larger buildings, notably the Quality Inn which has recently been extended, together with high density flatted developments. It is further envisaged that the development will form a first phase of a longer term development extending on land to the east of the site with a gradual scaling down of the residential development to two and three storeys as it abuts the green belt land beyond.

Whilst officers remain concerned about the height of the podium above the neighbouring footway, it is considered that that through a combination of careful design, landscaping and the use of high quality materials, it is possible to reduce the impact of this element of the scheme to an acceptable degree. No objections are raised either to the general design of the scheme nor its impact on the existing street scene or surrounding area.

10.0 **Impact on neighbouring Occupiers/Land Uses**

10.1 The principle potential impacts identified relate to the neighbouring site known as “Jocks café” which is a commercial bed and breakfast and café to the east of the site and the existing residential properties opposite the site on the south side of the London Road (596 – 602).

With respect to the neighbouring site at Jocks café, during pre application negotiations care has been taken to alleviate any direct overlooking of the neighbouring site, by reducing the number of windows within the flank elevation, requiring flank wall windows to be obscurely glazed and high level opening, requiring privacy screens to balconies, and ensuring that appropriate terraces are available for maintenance purposes only. The applicant has submitted an overlooking appraisal of the neighbouring site, which demonstrates that with the various proposed physical obstacles in situ any overlooking would be limited. In response to concerns raised by Officers at the pre application stage the following design changes have been secured:

Building C – east elevation
- Juliet balconies removed from windows at ground, first and second floors. Window design adapted to have fixed opaque glass up to 1700mm above FFL with clear top hung opening section above.
- At 3rd and 4th floors a 1700mm high opaque glass screen is proposed along the eastern edge of the terraces to avoid direct overlooking, both from the terrace and from within the flats themselves.
- Within the flats any habitable rooms with windows in the eastern elevation have an additional direct source of daylight from windows either in the north or south elevation. Should the

neighbouring land come forward for development in the future, any potential future loss of aspect will not therefore be an issue.
- The terrace at 3rd floor has been restricted, to enable the balustrade to step back. The eastern section of the terrace is accessible for maintenance purposes only.
- There is a thin strip of podium against the eastern elevation, gates have been put either end of this strip as access is for maintenance purposes only, such as cleaning windows etc.

Building B – east elevation
- At ground floor high level windows - above 1700mm from FFL - have been added to bike store to give natural daylight to the store. These windows however, are top hung opening lights and will not create any overlooking issues, due to the height at which they are positioned.
- At first floor there are 3 windows but these are fixed shut and have opaque glass. They can be cleaned via access onto the roof of the bike store. This roof is only accessible for maintenance. It is not designed as a terrace with an associated balustrade.
- At second floor there are no windows.
- At third floor a 1700mm high opaque glass screen is proposed along the eastern edge of the terrace to avoid direct overlooking. Aspect from this terrace is restricted to the north and south. The screen also prevents direct overlooking from within the flats.

Overlooking from the End of the podium
- At pre-application stage we indicated a green screen on the site plan on the eastern end of the podium, to prevent overlooking into Jock's Cafe. This screen is 1.8m high with various creeper plant species to be selected by a landscape contractor. Queries were raised as to issues which would arise if this planting was not 'looked after' and the 'green wall' died. As a secondary measure a timber pergola structure is proposed behind the planting screen. As a backing to the benches a vertical timber louvre is proposed. The posts are spaced 400mm apart. When viewed head on, it is still possible to get views through this louvre, but as you view the structure obliquely the view is largely blocked. It was considered important at the pre-app meeting that the secondary screening was not a 'solid' wall, but a lighter 'landscape' structure.

It should also be noted that the neighbouring site is a commercial and not residential site, for which there is a reasonable expectation that at some future date would come forward for a residential scheme of redevelopment.

With respect to the residential properties opposite on the south side of the London Road, an assessment has been undertaken for no. 602 London Road to assess the degree of overlooking which might take place. Whilst the occupiers of these buildings may perceive direct overlooking, a window to window distance of approximately 27 metres is achieved across a main road which complies with general planning guidance. The minimum window to window distance is normally 21 metres.

With respect overlooking of the rear garden of 602 London Road from the upper floor flats, the deposited plans show some overlooking of the rear part of the back garden over the top of the existing house, however this is at a distance of over 68 metres. There would be no direct overlooking of the private sitting out area immediately to the rear of the house.

11.0 **Land and Groundwater Contamination**

11.1 In terms of land and groundwater contamination, several investigations and reports have been prepared by Soils Limited in association with the previous applications on site, and the extensive works associated with the commencement of the basement structure, which took place in 2008. Initially a desk study report and intrusive investigation, dated August 2004, and the Part 2 Intrusive Report dated 26 August 2004, accompanied the initial planning application

by Barrett Homes for the site.

Following commencement of works on site, further reports were prepared for Rigsby New Homes and the Weybridge Group including the validation reports on removal of contamination were prepared and submitted to the Council and were the subject of discussions and assessment by the Councils Land Contamination Officers and the Environment Agency in 2008.

During pre-application discussions, the archived reports were referred back to the Environment Agency and the Councils Land Contamination Officer. As part of the discussions a written response from the EA confirmed the historical reports by Soils Limited which suggested that there may be a plume of TPH in groundwater that likely extends beyond the boundary of the site. The EA wished to establish whether this groundwater quality was, or had improved or not, over time.

A further borehole and groundwater investigation was taken by Soils Limited on behalf of the current applicant in 2011. This report confirmed that there were no groundwater contamination issues in 2011. A final response from the EA continued to seek a robust confirmation of the remediation works undertaken in 2008 and the groundwater quality on site to date, requiring a condition for further site investigative work.

Alongside the Environment Agency queries on groundwater contamination, the Councils Land Contamination Officer has also reviewed the historical work already undertaken at the site and has identified the additional work required to satisfy the requirements of the Council.

The Council's Land Contamination Officer has accepted that the historical work undertaken by Soils Ltd to date can be used as a position statement, with outstanding land contamination matters being covered by appropriately worded planning conditions. It is anticipated that such conditions will require further work, including further testing on site, with a phasing of their implementation in respect of two specific areas of work.

In terms of a positions statement Soils Ltd undertook initial desk study reports and intrusive reports on ground contamination issues in 2004 together with a Bio Mass Report in 2005. This latter report concluded that the risk from methane on site is to be remediated by ventilation being installed into the under slab, and methane barriers installed within the slab and walls of the structure below ground, with all service entrance points sealed. The Council Land Contamination Officer notes that there is no photographic evidence, manufacturer certificate or building control approved inspections, to confirm that the membranes were installed, and whether this is compliant with adequate protection for ground gas and ground vapours in hydro carbon impacted soils. The Council will be seeking further additional ground investigation, and ground vapour monitoring, to ascertain the presence of such protection membranes within the fabric of the onsite building structure, and to confirm that the membranes installed are compliant, and provide adequate protection from ground gas and ground vapours in hydro compacted soils. Such requirements can be secured through appropriately worded conditions.

In terms of the groundwater contamination issues, these are addressed above in response to the Environment Agency comments resulting in the additional works which were undertaken in 2011 which confirms that groundwater contamination no longer arises on the site. However, further on site investigations would again clarify this point. Whilst a considerable amount of work was previously undertaken in respect of land and groundwater contamination, the extent of any remediation works was not fully documented or validated and as a result there is still further outstanding validation work to be undertaken.

The Environment Agency has undertaken a final review the submitted Updated Groundwater Monitoring Report submitted as part of the current planning application and advised that as far

as can be ascertained there has been no material change to the conditions of the site and therefore, that the submitted documentation addresses only some of the concerns. However, the proposed development will only meet the requirements of the National Planning Policy Framework if the following measures as submitted with this application are implemented and secured by way of a planning condition on any planning permission.

The conditions proposed by the Environment Agency, as set out in Section 6 of this report, are concerned principally with obtaining full remediation of the site. Further conditions relating to remediation are also required by the Council's land contamination officer. These too are set out in Section 6 of this report.

No objections are raised on grounds of land or groundwater contamination in relation to the National Planning Policy Framework or Core Policy 8 of the Slough Local development Framework Core Strategy Development Plan Document subject to appropriate conditions being imposed requiring full remediation of the site.

12.0 **Transport, Access, Servicing & Parking**

12.1 Core Policy 7 deals with the principles of the transport strategy which seeks to ensure that new development is sustainable and is located in the most accessible locations, thereby reducing the need to travel. Further, the development proposals, will either individually or collectively, have to make an appropriate provision 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, in particular climate change

Policy T2 of the Adopted Local Plan requires that *Residential development will be required to provide a level of parking appropriate to its location and which will overcome road safety problems, protect the amenities of adjoining residents and not result in an adverse visual impact upon the environment.*

The issue of transport and highways associated with the development proposals has been the subject of extensive pre-application discussions with the Council Highway Officers.

The development proposes the provision of 75 car spaces to serve the 61nos. 1,2 and 3 bed units, located within a sub-basement car park. A number of these spaces being disabled spaces. The layout of the car park has been dictated by the constraints imposed by the column locations of the existing super structure.

Three lift and stair cores rise up from the basement car park to serve each of the 3 residential blocks. A combination of basement and podium level cycle covered storage facilities are provided in the form of secure and covered accommodation for 61 cycles.

Access to the basement car park is located via a ramped access at the eastern end of the site fronting onto the London Road, albeit maintaining a satisfactory distance from the road, in order to provide appropriate visibility splays, and to prevent no conflict with the neighbouring access point onto the Gibtels Café site.

Also along the London Road a layby and realigned footway is proposed and remains as per the previously agreed scheme. The layby will have a limited parking loading/unloading time limit in

order to allow for temporary loading and unloading, refuse collection and service deliveries both to the development and neighbouring sites.

The original designs for the site incorporated a disabled ramped access along the London Road frontage together with a refuse store located on the podium deck with access via the ramp. Through discussions with Highway Officers this ramp is to be removed and replaced with a disabled lift from street level. The refuse store has been relocated to be halfway between the podium and basement levels, to provide direct at grade access at street level in line with the proposed layby area. This allows for at grade manoeuvring of bins by the refuse collectors.

The relocation of the refuse area has been at the expense of 5 car parking spaces within the basement area, but given the constraints of the existing super structure, the balance is struck between providing appropriate car parking levels in this sustainable location versus ease of access for refuse and waste collection.

In the wider area the Transport Statement by JNP considers the potential future impact of SIFE in terms of traffic generation in and around the site, and concludes that traffic generation associated with the site itself will be limited.

It is also further understood there is a prospect that the existing layby parking area along the Colnbrook by Pass will be required to support better bus schemes. As such historic thoughts that its long term future use could be available is no longer applicable. Further changes to the surrounding highway network may also result from any future expansion proposals for a third runway at Heathrow. The proposals include a proposal to reconstruct the footway along the A4 Colnbrook By Pass.

As per the previous development proposals for the site, off site pedestrian crossing facilities providing easier access across the London Road and around the gyratory, are proposed within the general arrangement plans accompanying the Transport Statement. The offsite highway works will be the subject of a Section 278 Highways Agreement, together with a further Highway Agreement required in connection with those parts of the development site which will be physically supported in the neighbouring public highway on the London Road frontage.

The transport and highway proposals have been accepted by the Council's transport consultant and highways engineer, subject to a number of conditions covering means of access, visibility and pedestrian splays, reinstating redundant access points and maintenance of cycle parking. The applicant will also be required to enter into a S106 Agreement and S278 Agreement relating to the following transport and highway obligations:

The transport and contributions schedules:

- £5,000 for stopping up of the highway costs (prior to commencement);
- Residents of the development will be ineligible to apply for a parking permit in any existing or future residents parking schemes;

The highways schedule includes:

- Temporary access point
- Installation of crossover / junction
- Reconstruct the footway fronting the application site on A4 London Road.
- Reinstatement of redundant access points to standard to footway construction
- Installation of street lighting modifications
- Drainage connections
- Reconstruction of footway
- Dedication as highway maintainable at the public expense, free of charge, of land as shown in Drawing C82900-F-005;
- Construction and dedication as highway maintainable at the public expense, free of

charge, the footway on A4 London Road;
- Construction of the service layby on A4 London Road;
- Highway works to widen London Road to two lanes at its junction with A4 Sutton Road gyratory and implement tactile paving as shown in Drawing C829900 – SK – 001 – revision B– new drawing to be provided to show all highway works;
- Re-construction of the footway and verge along the frontage of the site with A4 Colnbrook bypass;

Stopping up of the highway as shown in Drawing C82900-F-005;

No objections are raised on grounds of transport, access parking or servicing in relation to Core Policy 7 of the LDF Core Strategy nor Policy T2 of the Adopted local Plan subject to appropriate conditions being imposed and the applicant entering into a S106/S278 Agreement to secure the necessary transport contributions and

13.0 **Drainage & Flood Risk**

13.1 The submitted Flood Risk Assessment concludes:

- The site was previously a car sales garage and was predominantly hardstanding (approximately 80%).
- The site was partially developed in 2008 and the structural frame is complete.
- This report shows that the proposed development is located within Flood Zone 1, being at low risk of flooding from rivers as indicated by the Environment Agency's floodplain maps.
- The new development will incorporate stormwater attenuation tank to reduce the peak surface water run-off. This report demonstrates that the design has ensured that the peak rate of runoff into the sewer is less for the developed site than it was for the pre-development site allowing for the effects of climate change.
- The site is within a groundwater protection zone and groundwater was not encountered in any of the trial pits excavated. Slough Borough Council's SFRA however does note that groundwater is high in the vicinity of the development sofor the purposed of design is assumed to be 1m below ground level. Mitigation measures have been put in place to reduce the risk of flooding from groundwater.

With respect to surface water drainage, the Councils Drainage Engineer has advised that historically a number of drainage connections were made during the construction of the existing built form. It is understood there have been a number of unauthorised connections made to date. Ongoing discussions between Manhire Associates and the Councils Drainage Engineers are taking place with a view to resolving and addressing the outstanding drainage issues.

The Council's Drainage Engineer has advised that: It's a fairly straightforward site with a low flood risk except for the basement. I would like to see some risk assessment for water getting into the basement and measures to minimise or mitigate against that risk. Although the risks from natural sources are covered, manmade sources don't seem to have been included ie: sewer, water supply, reservoir and surface water from road down ramp.

With the changes in legislation since the previous development was abandoned I can see challenges with the location of proposed attenuation measures for surface water. These need to be discussed and resolved with Thames water and the council as highway authority unless attenuation can be provided within the site. Surcharge within the proposed outfall needs to be taken into account in the drainage design.

The applicant will need to discuss the detail of the drainage design with Thames Water Developer Services. I'm not sure how keen they will be to adopt attenuation measures and the applicant may need to provide these within the curtilage.

No objections are raised on grounds of flood risk in relation to the National planning Policy Framework nor Core Policy 8 of the LDF Core Strategy. Further, there are no objections on grounds of surface water drainage subject to the applicant securing the necessary consents from Thames Water.

14.0 Quality of Housing

14.1 The National Planning Policy Framework requires that local planning authorities ensure the provision of a wide range of good quality homes.

As a guide to internal room sizes the Council relies on its planning guidelines for flat conversions.

It is accepted that all habitable rooms have an acceptable aspect and a significant number of units reasonable levels of sunlight and daylight can be provided to all rooms. In addition there are no room stacking issues with like rooms being above like rooms. Any noise transmission issues can be resolved at the building regulations stage.

Room sizes have been assessed against the council's flat conversion guidelines. It is recognised in this instance, it will not always be possible to comply with this guidance, due to the constraints of the existing structure / column positions, but any deviations have been kept to a minimum.

All rooms that do not conform to the minimal acceptable room sizes as outlined in Slough borough council's flat conversion guidelines have been commented on to justify their reduced area. In most cases this is simply down to the limitations of the structure that is as existing on site. The party walls have been placed along the column grid in the most appropriate ways possible to maximise the useful internal areas, and the locations of kitchens and bathrooms relate to as many of the existing voids in the floor slabs as possible. Due to these factors, some of the room sizes are a little undersized, however in most cases this has been deliberately designed so as to not negatively impact on the quality of the adjacent rooms. This does not preclude the creation of a high quality development.

A detailed assessment is shown in Appendix A to this report.

Given the limitations imposed by the existing structure it is not considered that the modest shortfall in room sizes, when compared to the Council's approved guidelines for flat conversions, in relation to certain of the rooms within the proposed development would not warrant a refusal of planning permission being given and does not deflect from the aim of securing good quality housing in accordance with the National Planning Policy Framework.

15 Air Quality & Noise

15.1 The site is located within the Brands Hill air quality management area and, as such, an Air Quality Assessment has been undertaken by WSP. As per the previous Air Quality Assessments which have been undertaken in association with the previous schemes, the report concludes that the resulting accumulative annual mean concentrations for No2 and PM10 attributable to traffic emissions during the operation phase of the proposed development are sufficiently low as to not warrant specific mitigation measure being required. Within the development itself the introduction of new exposure into an area with elevated ambient No2 concentrations will require mitigation. It is recommended that there is provision of non-opening windows on street facing sides, and the installation of mechanical ventilation, with suitable filters for No2 removal to be incorporated into each of the residential units. It is acknowledged that such ventilation systems will require air intake grill systems which will have some impact on the external elevations of the building. This can be the subject of planning conditions once

detailed design has been developed with the benefit of mechanical and electrical engineering specialist input. An indicative grill visual is shown in the accompanying report from Chris Evans Consulting.

Pre application advice which was given by the Council's Environmental Quality Team relating to the proposed implementation of an air quality monitoring station in the Brands Hill location in early 2015. It is considered that some of the funding for the implementation of the station would come through Section 106 contributions. However it is noted their comments relate to the concern of longer term particular emissions from a future high composition of HGV's on the heavily trafficked A4 strategic route. As shown in the Transport Statement, it is demonstrated that the traffic generation levels associated with the development are predominantly car borne, not HGV, and is of negligible significance in terms of contributing to the existing air quality issues in the area. In addition the economic viability of the site is under threat, and a viability report has been submitted under separate cover for the Council to assess the ability of the scheme as a whole to economically deliver these additional housing numbers in light of the Section 106 contributions sought on a number of infrastructure and service requirements, including the contribution towards the air quality monitoring station.

The report has been assessed by the Council's Environmental Quality Team, who have suggested a number of conditions to be imposed to make the sceheme acceptable:

(1) The developer should install electric vehicle charging infrastructure to service 8 car parking spaces (i.e. 4 dual EV posts or wall mounted posts).

(2) The details and design of any ventilation/filtration system to ameliorate the impact of NO_2 exposure needs to be covered by a condition and approved by the LPA.

(3) A construction environmental management plan (CEMP) will need to submitted and approved by the LPA. The plan shall include all the recommendations contained with the WSP Air Quality Assessment Report 2014 for general dust management sections 6.1.6 to 6.1.55 inclusive.

Having assessed the submitted noise report the Environmental Quality Team are recommending the following, to be covered by suitable planning condition:

The developer will need to design a comprehensive sound insulation and ventilation scheme for each block and flat respectively, the standard of sound insulation and ventilation must meet the daytime and night-time internal noise criteria as outlined below.

Room Type	Period of time	Internal noise criteria
Living Areas (all)	Daytime (07.00 – 23.00 hours)	40 dB $L_{Aeq,\ 16hr}$
Bedroom (only)	Night-time (23.00 – 07.00 horus)	30 dB $L_{Aeq,\ 8\ hr}$

The package must be demonstrated by way of acoustic calculation and not typical noise reduction assumptions as reported in the Hann Tucker Report. In essence each component of the building fabric needs to be assessed to determine its acoustic integrity, the roof, window, walls, ventilation and doors and when combined the internal noise standard within each flat

must be met. The details must be submitted and approved by the LPA.

No objections are raised on the grounds of air quality and/or noise in relation to Core Policy 8 of the LDF Core Strategy, subject to appropriate conditions being imposed, together with a financial contribution of £15,000 towards monitoring air quality equating to £300 per flat, which is to be secured through a S106 Agreement.

16.0 **Landscape & Amenity Space**

16.1 Landscaping of the site is limited, and restricted in the main to planters on the podium. However following discussions with Highways at SBC, the pavement alignment around the site has been adjusted. This has made it possible to soften the elevations with planting strips located at the back of pavement both at the front of the podium (fronting onto Colnbrook roundabout) and on the London Road elevation adjacent to the entrance to the basement car park. These soft landscaping areas are identified on the site plan and would be in the care / management of SBC.

On the podium itself, linear planters are located around the perimeter. Trailing /climbing plant species are proposed to overhang the edge and are to be specified by a landscape consultant as part of the detailed design.

Formal planters are positioned in the centre of the podium, to accommodate suitable trees, to be specified by a landscape consultant. Other areas of soft landscaping are proposed adjacent to the individual buildings. The flat roof of the refuse store is designed to incorporate planting, so that it is an attractive terrace to look down onto from the upper floor flats.

The Council's Tree Management Officer is generally supportive of the landscaping scheme, given the limitations of the site. No objections are raised on grounds of landscaping in relation to Policy EN3 of the adopted local plan subject to conditions requiring further details to be submitted.

17 **Energy and Sustainability**

17.1 An Energy and Sustainability Statement has been submitted which considers ways to reduce carbon emissions by confirms that 10% of the site wide energy use will come from renewable energies. In relation to this exercise the following technologies were evaluated:
Heat source pumps
Wind Turbines
Biomass Boilers
Photovoltaic Panels

The Statement concludes that 40 250 watt PV Panels should be installed on each building, which will provide a minimum of 10% of the energy demand for the site.

No objections are raised on grounds of energy and sustainability in relation to Core Policy 8 of the LDF Core Strategy.

18.0 **Financial Viability Affordable Housing & S106 Requirements**

18.1 In terms of Section 106 requirements, the previous planning application reference P/00163/005 established an agreed position whereby affordable housing was provided via a financial contribution in lieu of provision on site, together with financial contributions towards air quality monitoring, education, open space, and a parking survey to be undertaken in the area post full occupation.

Whilst the previous figures quoted were in 2008, the economic viability of this site remains an issue to the amount of financial contributions which can be made. This is the subject of the financial viability appraisal submitted under separate cover and will be the subject of ongoing discussions.

The submitted viability assessment has been reviewed by the Council's Asset Management team, with the main area of dispute relating to build costs and developers profit.

In their latest offer the developer has accepted, but not necessarily agreed, the Council's build costs, as provided by its own external Quantity Surveyors and a reduced developers profit at 17.5% rather than the 20% as was originally sought. On the basis of the revised appraisal the developer is offering a one off payment of £600,000 to include the additional contributions covering air quality monitoring and payment to cover the costs of the stopping up public highway, which combined amount to £20,000. Given the figure of £1,191,000, which was originally being sought to meet the affordable housing contribution in full, this represents a substantial contribution towards that figure @ 48.6%.. Given the financial constraints of the scheme, it is not intended to pursue either education or open space contributions.

The main Heads of terms for a S106 Agreement are set out below:

- Payment of a financial contribution of £580,000, to fund affordable housing off site. Trigger points for payment to be confirmed.
- Payment of a financial contribution (£15,000) towards the costs of monitoring air quality
- Developer to enter into a S278 Highways Agreement to secure the following:

    - £5,000 for stopping up of the highway costs (prior to commencement);
    - Residents of the development will be ineligible to apply for a parking permit in any existing or future residents parking schemes;
    - Temporary access point
    - Installation of crossover / junction
    - Reconstruct the footway fronting the application site on A4 London Road.
    - Reinstatement of redundant access points to standard to footway construction
    - Installation of street lighting modifications
    - Drainage connections
    - Reconstruction of footway
    - Dedication as highway maintainable at the public expense, free of charge, of land as shown in Drawing C82900-F-005;
    - Construction and dedication as highway maintainable at the public expense, free of charge, the footway on A4 London Road;
    - Construction of the service layby on A4 London Road;
    - Highway works to widen London Road to two lanes at its junction with A4 Sutton Road gyratory and implement tactile paving as shown in Drawing C82950 – SK – 001 Revision B – new drawing to be provided to show all highway works;
    - Re-construction of the footway and verge along the frontage of the site with A4 Colnbrook bypass;
    - Stopping up of the highway as shown in Drawing C82900-F-005;

Subject to securing all of the benefits as outlined above through a s106 Agreement, there are no objections in relation to Core Policies 7 and 8 of the LDF Core Strategy.

19.0 **Summary**

19.1 The application site which has been partly constructed, but without the benefit of specific planning permission, is a casualty of the recent recession. The structure on the site, which has

been in situ over several years is a local eyesore and the current scheme seeks to resurrect the previously considered development.

Removal of the existing super -structure on site with an alternative development scheme on the site would render the site uneconomic. At the same time, working within the limits of the existing super structure significantly constrains the options for development. Nonetheless, the proposals are well thought out and will produce a good quality housing scheme.

The site suffers from poor air quality and noise both from aircraft and roads, as such there abnormal costs such as the requirement for an air purification system and combined mechanical ventilation. The need for indemnity insurance for the existing sub structure will also tie up a significant element of the developers profit for a number of years.

As a result the economic viability of the scheme is hindered

PART C: RECOMMENDATION

20.0 **Recommendation**

20.1 It is recommended that the application be delegated to the delegated to the acting Planning Manager for completion of a Section 106 agreement, finalising conditions, making minor changes if required and final determination.

21 PART D: LIST OF CONDITIONS OR REFUSAL REASONS

21.1 Set out below are the main headings for proposed conditions or full conditions in draft form with the final wording of the conditions to be determined prior to final determination.

1. Development to recommence within 3 years from the date of the planning permission
2. Approved drawings
3. Development to proceed in accordance with the findings and recommendations of the following supporting statements:

   Transport Statement
   Environmental Noise Survey and Assessment
   Revised and updated Air Quality Assessment
   Flood Risk Assessment and position statement on drainage strategies
   M & E Outline planning statement relating to basement and residential unit ventilation systems
   Energy and Sustainability Feasibility Study
   Updated Groundwater Monitoring Report

   Together with other relevant planning conditions to be specified in the decision notice.
4. Development to proceed in accordance with the schedule of external materials within the submitted palettes for each of the Blocks A, B and C
5. Details of hard and soft landscaping including treatment of surfaces o be submitted to and approved in writing prior to works re-commecing on site.
6. Minimum 74 no. car parking spaces to be laid out and be available for use prior to first occupation. To be used communally and not assigned.
7. Sight lines of 2.4m X 61m (west) and 2.4m X 65m (east) and 2.4m X 2.4m pedestrian

visibility splays to be provided on sited prior to first occupation.

8. Development not to recommence until a Site Construction Management Plan which shall include all the recommendations contained with the WSP Air Quality Assessment Report 2014 for general dust management has been submitted to and approved in writing by the LPA
9. Development not to recommence until a Waste Minimisation Plan has been submitted to and approved in writing by the LPA
10. Working hours restriction
11. Deliveries to site restriction
12. Means of Access to be provided on site prior to first occupation
13. Re-instatement of redundant access point(s) prior to first occupation
14. Cycle stores to be provided prior to first occupation and shall not be used for any other purpose without the prior written approval of the LPA
15. Development not to recommence until details of surface water drainage have been submitted to and approved in writing by the LPA. Approved scheme to be implemented prior to first occupation
16. Prior to fist occupation the developer shall install make available for use and maintain electric vehicle charging infrastructure to service 8 car parking spaces (i.e. 4 dual EV posts or wall mounted posts).
17. Development not to recommence until a scheme design (including tonality) for the mechanical ventilation and filtration/purification of air supplied to the flats has been submitted to and approved in writing by the Local Planning. The approved scheme shall be installed and maintained fully in accordance with the manufacturers specifications and shall be implemented prior to the first occupation of the flats and shall be kept available for use thereafter unless otherwise approved in writing by the Local Planning Authority
18. The developer shall design a comprehensive sound insulation and ventilation scheme for each block and flat respectively to achieve the minimum internal levels set out below having regard to all elements of the building's acoustic integrity including the roof, window, walls, ventilation and doors and this shall be demonstrated by acoustic calculation which shall be submitted and approved in writing by the LPA prior to works commencing on site.

    Living area (daytime 07.00 – 23.00 hours) - 40 dB $L_{Aeq,\ 8\ hr}$

    Bedrooms (night- time 23.00 – 07.00 hours) - 30 dB $L_{Aeq,\ 8\ hr}$

19. *Phase 2 Intrusive Investigation Method Statement*

    Development works shall not recommence until an Intrusive Investigation Method Statement (IIMS) has been submitted to and approved in writing by the Local Planning Authority. The IIMS shall be prepared in accordance with current guidance, standards and approved Codes of Practice including, but not limited to, BS5930, BS10175, CIRIA 665 and BS8576. The IIMS shall include, as a minimum, a position statement on the available and previously completed site investigation information, a rationale for the further site investigation required, including details of locations of such investigations, details of the methodologies, sampling and monitoring proposed.

20. *Phase 3 Site Specific Remediation Strategy*

    Development works shall not recommence until remediation works have been carried out in accordance with a Site Specific Remediation Strategy (SSRS). The SSRS must first be submitted to and approved in writing by the Local Planning Authority. The SSRS shall, as a minimum, contain details of any additional site investigation undertaken with a full review and update of the preliminary Conceptual Site Model (CSM), the precise location of the remediation works and/or monitoring proposed, including earth

movements, licensing and regulatory liaison, health, safety and environmental controls, and any validation requirements.

21. Remediation Validation

No development within or adjacent to any area(s) subject to remediation works carried out pursuant to the Phase 3 Site Specific Remediation Strategy condition shall be occupied until a full validation report for the purposes of human health protection has been submitted to and approved in writing by the Local Planning Authority. The report shall include details of the implementation of the remedial strategy and any contingency plan works approved pursuant to the Site Specific Remediation Strategy condition above. In the event that gas and/or vapour protection measures are specified by the remedial strategy, the report shall include written confirmation from a Building Control Regulator that all such measures have been implemented.

22. Development shall not recommence until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
1. The results of the site investigation and the detailed risk assessment referred to in the site investigation scheme and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

2. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (1) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

23. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved

24. The development hereby permitted shall not recommence until such time as a scheme to dispose of surface water that ensures that soakaways are not constructed into contaminated land has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

25. Development not to recommence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority

26. Development not to recommence until a foul drainage strategy has been submitted to and approved in writing by the local planning authority. The development to proceed in accrdance with the details approved.

27. Vehicular access gates to serve the development shall not be erected without first

having obtained the written approval of the local planning authority

28. Notwithstanding the deposited plans as hereby approved details of the ventilation grill to serve the semi basement car park shall be submitted to and approved in writing by the LPA prior to works recommencing on site and the development shall proceed in accordance with the details approved.

29. Measures to minimise overlooking of neighbouring land to the east known as “Jocks café” to include obscurely glazed flank wall windows with high level openings, privacy screens to balconies, restricting access to certain terraces for maintenance purposes only as shown on the deposited plans as hereby approved. Approved measures to remain in place at all times.

30. Details of external lighting

31. Prior to first occupation 40 X 250 watt Photovoltaic Panels
Panels shall be installed on each building

APPENDIX A

Block A
The layouts through ground to third floor are identical - so comments on Flat 1 apply to flats 6, 11, 16.

O = Meets room size standards X = Does not meet room size standards

Floor	Flats	Bed 1	Bed 2 (+3)	Kitchen & Lounge
Ground - third	1, 6, 11, 16	0	X	X

Bedroom 2 is just 0.1sqm undersized, this could not be avoided without compromising the quality of the bathroom or hallway. The Living/Kitchen in 0.5sqm under, however it was decided that this shortfall would be better utilised in the hallway

Ground - third	2, 7, 12, 17	0	0	X

Living/Kitchen is 0.55sqm undersized, this had to be accepted as otherwise there would be insufficient access into or
around the bedrooms. Any space taken from the hall would neither be fully useable.

Ground - third	3, 8, 13, 18	X	0	0

Bedroom 1 is 0.44sqm undersize. Realigning the party wall would not give sufficient access through the bedroom of flat 4 (9, 14, 19), taking area from other rooms would not create useable space. As compensation this bedroom has an en suite bathroom.

Ground - third	4, 9, 14, 19	0	0	X

Layouts mirrored from flat 2 (7, 12, 17).

Fourth	21	X	N/A	X

Positions of party walls along existing columns means all rooms are significantly undersized, bedroom is 1.44sqm undersize and kitchen/living is 0.63sqm undersize. The bedroom could be increased slightly but at the expense of a narrow and less pleasant hall, in part compensation for the small bedroom and living areas there are 2No. ample sized balconies.

Fourth	22	0	0	0
Fourth	23	0	0	0
Fourth	24	X	N/A	X

Layouts mirrored from flat 21.

Block B
O = Meets room size standards X = Does not meet room size standards

Floor	Flats	Bed 1	Bed 2 (+3)	Kitchen & Lounge
Ground	25	0	0	X

Kitchen / living undersized by 0.5sqm, this shortfall remains unavoidable due to locations of existing columns.

Ground	26	0		0
	27	0		0
	61	0		0
First	28	0	0	X

Kitchen / living undersized by 0.5sqm, this shortfall remains unavoidable due to locations of existing columns

First	29	0		X

Kitchen / living undersized by 0.77sqm, this shortfall remains unavoidable due to locations of existing columns and
area needed for the bedroom, in part compensation there is a 2.5sqm balcony.

First	30	0		0
First	31	X	0	X

Bedroom 1 is 0.44sqm undersized, the living/kitchen is 3.65sqm undersized. The placement of the columns greatly restricts the placement of the party walls, giving very little space available to this apartment.

First	32	X		0

Bedroom is undersized by 0.96sqm, column locations give too little space for the required areas, the space available was decided to be best utilised in the kitchen/living

Second	33	0		0
Second	34	0		X

Kitchen / living undersized by 0.73sqm, this shortfall could be taken from the bedroom but this would leave insufficient access around the bed.

Second	35	0		0
Second	36	0	0	0
Third	37	0	0	0
Third	38	0	0	0

Block C
All room sizes fully compliant