

<b>Registration Date:</b>	16-May-2014	<b>Applic. No:</b>	P/15809/000
<b>Officer:</b>	Mr. J. Dymond	<b>Ward:</b>	
		<b>Applic type:</b>	<b>Major</b>
		<b>13 week date:</b>	15 <sup>th</sup> August 2014

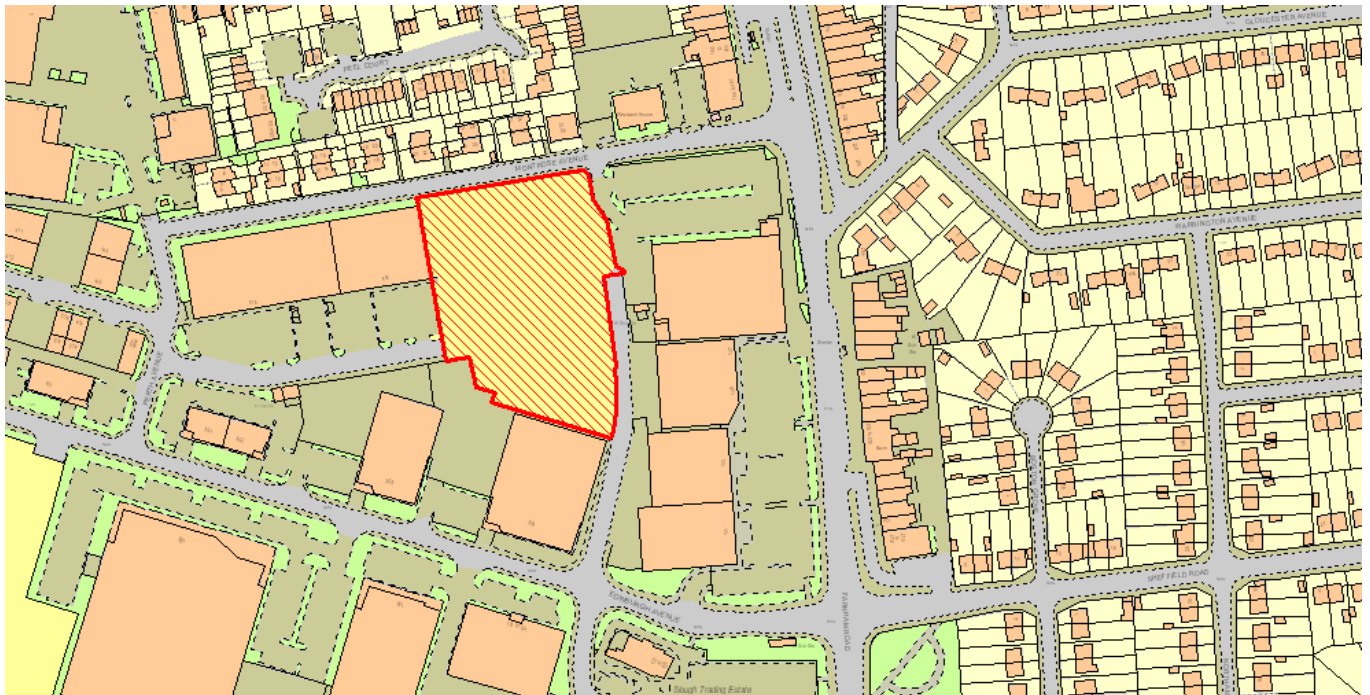
**Applicant:** Mr. Mark Snow, Slough Trading Estate Limited

**Agent:** Mr. Mark Sitch, Barton Willmore Barton Willmore, Regent House, 4, Princes Gate, Homer Road, Solihull, West Midlands, B91 3QS

**Location:** 412-426, Montrose Avenue, Slough

**Proposal:** ERECTION OF A 3,056.4 SQM (GROSS EXTERNAL AREA) CLASS A1 BUILDING, COMPRISING TWO INDIVIDUAL RETAIL UNITS OF 2,285 SQM AND 771.4 SQM, NEW CAR PARKING, ACCESS, LANDSCAPING AND ALL ASSOCIATED WORKS

**Recommendation:** Delegate to Acting Planning Manager



## **SUPPLEMENTARY REPORT TO PLANNING COMMITTEE**

### **1.0 Background**

- 1.1 At the meeting of the Planning Committee on 24th July 2014, the Committee resolved to defer the application to allow provision of improved revised access and car park provision.
- 1.2 A copy of the officer's report to the Committee on 24th July 2014 (Appendix A) and associated amendments (Appendix B) are attached for information purposes.
- 1.3 At the subsequent meeting of the Planning Committee on 27th November 2014, it was resolved to defer the application back to the Planning Committee in January 2015 in order for officers to investigate further the concerns raised relating to traffic congestion and highways issues in Farnham Road.
- 1.4 A copy of the officer's supplementary report to the Committee on 27th November 2014 (Appendix C), Summary of Actions (Appendix D) and Amendments to the Supplementary Report (Appendix E) are attached for information purposes.

### **2.0 Traffic Congestion and Highways Issues**

- 2.1 Officers have investigated further the concerns raised relating to traffic congestion and highways issues in Farnham Road. These matters have been discussed with the applicant and their consultants at a meeting.
- 2.2 Following this, a sketch scheme was prepared by officers and sent to the applicant for consideration.
- 2.3 The works shown on the sketch scheme would involve the widening of the Farnham Road carriageway to the south of the junction allowing two lanes to be continued through the junction. The Council's Transport consultant considers that this will ease traffic flow along this section of Farnham Road, pushing the merge point from (two lanes to one lane) south of the junction of Montrose Avenue.
- 2.4 The land required for the widening is all within the adopted highway and there would be no need at this stage to secure land from third parties. As such, this could be achieved through a Section 278 Agreement under the Highways Act and is considered to be deliverable.
- 2.5 The design allows for a future pedestrian crossing to be incorporated at a later date on the north side of the junction.
- 2.6 It is considered that the proposed widening of the junction would provide improvement to the operation of the junction. However, it will not necessarily provide improvement every cycle as it may depend on how much right turning traffic there will be turning into Montrose Avenue. It is proposed to operate the junction with the same number of stages, currently 2, but potentially it could become 3 which would further assist the right turn movement.
- 2.7 The applicant subsequently responded to this proposal. It is submitted that the improvements proposed have been considered in the context of the discussions at Committee and other options available to improve the capacity and an alternative option has been put forward.
- 2.8 This alternative option would involve the re-phasing of the traffic lights and introduction of an indicative arrow on the right turn from Farnham Road to Montrose Avenue allowing this movement to operate unopposed. It is submitted that this is considered to offer capacity

benefit. The Technical Note prepared by the applicant's Transport consultant in support of their proposal states that the introduction of this option could 'further improve capacity'. The applicant submits that this improvement does not require land or have implications for utilities and is therefore deliverable.

- 2.9 It is also submitted that SEGRO's current planning application at Montrose Avenue does not give rise to a traffic impact that would require capacity improvements at the junction of Farnham Road and Montrose Avenue. Furthermore, it has been submitted that the Transport Assessment submitted with the planning application includes background growth in traffic as part of the assessment. Notwithstanding this, the applicant has advised that they are willing to provide flexibility as to how a contribution would be spent, on the basis this could provide the option shown, which has an option of providing a signal controlled pedestrian crossing.
- 2.10 The above sets out the exchanges that have taken place following the Planning Committee meeting on 27th November 2014. The applicant's response is being considered by the Council's Transport consultant and an update on investigating further the concerns raised relating to traffic congestion and highways issues in Farnham Road will be reported on the amendments sheet.

### **3.0 Other Matters**

- 3.1 The applicant has also further clarified the discussions that took place with Sainsbury's on the proposed joint car park. It is submitted that SEGRO held a number of meetings with Sainsbury's and put forward a joint car park solution to a point where Sainsbury's were satisfied. However, Sainsbury's came back and changed their position – they were no longer willing to accept a joint exit. This made the delivery of a joint car park solution impractical and the application plans reverted to the original layout on that basis.
- 3.2 Turning to the matter of landscaping, it is submitted that the Site Layout Plan (Drawing No: 3520-502 Rev. P25) shows that landscaping will be provided along the western boundary of the application site adjacent to Unit 2 of the recent SPZ scheme on Perth Avenue. The applicant submits that they would welcome the opportunity to submit a landscaping scheme to confirm the specification of the planting as part of a condition of any permission for the site.

### **4.0 RECOMMENDATION**

- 4.1 Delegate a decision to the Acting Planning Manager for satisfactory Section 106 Agreement; to consider any further observations from neighbours / consultees; to agree any minor amendments to the planning application, draft conditions and Section 106 planning obligation matters.

## **1.0 SUMMARY OF RECOMMENDATION**

- 1.1 Having considered the relevant policies set out below, the representations received from consultees and all other relevant material considerations, it is recommended that the application be delegated to Development Management Lead Officer for consideration of consultee responses and further consideration of relevant issues, formal determination following completion of a Section 106 Agreement and finalising of conditions.
- 1.2 This application has been referred to the Planning Committee for consideration as the application is for a major development.

### **PART A: BACKGROUND**

## **2.0 Proposal**

- 2.1 This is a full planning application for the proposed erection of a 2,995 sqm (gross external area) Class A1 building, comprising two individual retail units of 2,285 sqm and 710 sqm respectively, the formation of new car parking, access, landscaping and associated works.
- 2.2 The floorspace of the units would be as follows:

Unit	Floorspace (sq m gross)	Floorspace (sq m net)	Goods Type
Unit 2	678	427 47	Convenience Comparison
Sub-Total	678	475	-
Unit 1	2,230	663 1,232	Convenience Comparison
Sub-Total	2,230	1,895	-
Total	-	1,091	-
Convenience	-	1,279	-
Total Comparison			
Total	2,908	2,370	-

- 2.3 The proposed development has been the subject of pre-application advice. Changes have been undertaken to the proposed development in response to the advice provided by officers.

## **3.0 Application Site**

- 3.1 The site is 0.75 hectares in area and is situated to the west of the existing Sainsbury's Farnham Road store. The site is currently vacant following the demolition of the industrial and commercial buildings that formerly stood on the site.
- 3.2 To the north of the site, on the opposite side of Montrose Avenue are the semi-detached properties of numbers 5-30 Montrose Avenue and 37-38 Montrose Avenue, a building comprising of four flats. Numbers 21-38 Montrose Avenue are opposite the site. To the north east is Westward House, a three storey building currently in use as a place of worship/non-residential education and training centre and offices. A three storey building located at 155-161 Farnham Road is situated adjacent to the junction with Montrose Avenue and Farnham

Road.

- 3.3 To the south of the site are the industrial units of 393 and 394 Edinburgh Avenue. To the south east are the retail units of 144, 143, 145 and 147 Farnham Road. These units front Farnham Road and are serviced from the rear. Access to the rear service road is from Edinburgh Avenue.
- 3.4 To the east of the site is the existing Sainsbury's supermarket. This store is understood to have a gross floor area of 2,596 sq m, with a net sales area of 1,596 sq m. The car park associated with the supermarket is located to the front of the store, adjacent to Montrose Avenue. The access to the car park is situated to the north eastern corner of the car park. The entrance to the store is from the north, and the store frontage faces towards Montrose Avenue.
- 3.5 To the west of the site are the industrial units of 415-416 Montrose Avenue. The units are accommodated within a building erected under the Simplified Planning Zone Scheme. The building is sited adjacent to Montrose Avenue and extends along the northern boundary towards the junction with Perth Avenue. The car park and turning areas associated with these units is situated to the south of the building. Access to the site is from the realigned service road.
- 3.6 The application site is located with Slough Trading Estate Existing Business Area and within the area covered by the Slough Trading Estate Simplified Planning Zone Scheme. The development however falls outside the scope of this Scheme and requires planning permission.
- 3.7 The site forms part of allocation SSA5 in the Site Allocations Development Plan Document. The allocation is for retail purposes for the extension or redevelopment of the existing supermarket with car parking.
- 3.8 Farnham Road is identified as a district centre under Policy S1 of The Adopted Local Plan for Slough. Within the district centre, there are primary and secondary retail frontages.
- 3.9 The site is located within Flood Zone 1 and the site therefore is considered to comprise land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%).
- 3.10 There appear to be no listed buildings on or near the site and the site is not located within a Conservation Area.

#### **4.0 Site History**

- 4.1 The site is currently vacant following the demolition of the industrial/commercial buildings formerly occupying the site. A previous application relating to the site is as follows:

##### 448, Perth Avenue

P/01404/010 RENEWAL OF TEMPORARY PLANNING PERMISSION TO USE BUILDING FOR CLASS D1 AND D2 USES (NON RESIDENTIAL, INSTITUTIONS, ASSEMBLY AND LEISURE). – Approved with Conditions 22-Feb-2005

Other applications in the vicinity of the site of relevance are considered to be as follows:

##### 145-147, Farnham Road

P/00488/035 VARIATION OF CONDITION 2 OF PLANNING PERMISSION P/00488/034

FOR DEMOLITION OF EXISTING B2 INDUSTRIAL UNIT AND REPLACEMENT WITH TWO CLASS A1 RETAIL UNITS INCLUDING CAR PARKING, SERVICING AND LANDSCAPING TO INCORPORATE MINOR ALTERATIONS TO THE EXTERNAL APPEARANCE OF THE BUILDING (COMPRISING THE REMOVAL OF GLAZING AND ENTRANCE DOORS TO THE FRONT OF THE BUILDING AND REMOVAL OF A LOADING DOOR TO THE REAR) TO CREATE A SINGLE CLASS A1 RETAIL UNIT AND THE INSERTION OF A 464.5 SQ. METRE MEZZANINE FLOOR. – Approved with Conditions 04-Aug-2011

141-143, Farnham Road

P/07074/011 REMOVAL OF CONDITION NO. 7 OF PLANNING PERMISSION P/07074/002 DATED 29/05/96 FOR THE DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 2 NO. RETAIL UNITS WITH CAR PARKING – Approved with Conditions 02-Feb-2012

P/07074/010 CHANGE OF USE OF PART OF RETAIL WAREHOUSE TO PET CARE AND TREATMENT FACILITY (SUI GENERIS). – Approved with Conditions 24-Aug-2010

Westward House, 39, Montrose Avenue

P/00913/026 CHANGE OF USE FROM OFFICES (B1) TO A PLACE OF WORSHIP / NON RESIDENTIAL EDUCATION AND TRAINING CENTRE (D1) AND OFFICES (B1) – Approved with Conditions 14-Dec-2010

## **5.0 Neighbour Notification**

- 5.1 Black Horse Ltd, Montrose House 155-161, Farnham Road, Slough, SL1 4XP, 12, Montrose Avenue, Slough, SL1 4TN, 11, Montrose Avenue, Slough, SL1 4TN, 23, Montrose Avenue, Slough, SL1 4TN, 24, Montrose Avenue, Slough, SL1 4TN, 9, Montrose Avenue, Slough, SL1 4TN, 10, Montrose Avenue, Slough, SL1 4TN, Global Crossing, 394, Edinburgh Avenue, Slough, SL1 4UF, Amtred Ltd, 393, Edinburgh Avenue, Slough, SL1 4UF, 22, Montrose Avenue, Slough, SL1 4TN, 21, Montrose Avenue, Slough, SL1 4TN, 415-416, Montrose Avenue, Slough, SL1 4TJ, 155a, Farnham Road, Slough, SL1 4XP, 15, Montrose Avenue, Slough, SL1 4TN, 16, Montrose Avenue, Slough, SL1 4TN, 13, Montrose Avenue, Slough, SL1 4TN, 14, Montrose Avenue, Slough, SL1 4TN, 27, Montrose Avenue, Slough, SL1 4TN, 28, Montrose Avenue, Slough, SL1 4TN, 6, Montrose Avenue, Slough, SL1 4TN, 7, Montrose Avenue, Slough, SL1 4TN, 8, Montrose Avenue, Slough, SL1 4TN, 26, Montrose Avenue, Slough, SL1 4TN, 25, Montrose Avenue, Slough, SL1 4TN, 17, Montrose Avenue, Slough, SL1 4TN, 18, Montrose Avenue, Slough, SL1 4TN, 20, Montrose Avenue, Slough, SL1 4TN, 145-147, Farnham Road, Slough, SL1 4XB, 5, Montrose Avenue, Slough, SL1 4TN, 29, Montrose Avenue, Slough, SL1 4TN, 30, Montrose Avenue, Slough, SL1 4TN, 31, Montrose Avenue, Slough, SL1 4TN, 32, Montrose Avenue, Slough, SL1 4TN, Petsmart, 141, Farnham Road, Slough, SL1 4XB, Staples Ltd, 143, Farnham Road, Slough, SL1 4XB, 19, Montrose Avenue, Slough, SL1 4TN

In accordance with Article 13 of The Town and Country Planning (Development Management Procedure) (England) Order 2010, a site notice was displayed at the site and the application has been advertised in The Slough Express.

- 5.2 Two objections have been received, as follows:

21 Montrose Ave – Object on the following grounds in summary:

- The placement of the entrance to the proposed car park which will be exactly opposite my drive;

- There are cars parked from my drive down to end of road turning that part of the road into a single lane, having the entrance there would cause major congestion in front of my drive turning my life into a nightmare;
- The entrance should not change my access in any way - highway safety issues and loss of privacy will only add to the already awkward access.

22 Montrose Avenue – Object on the following grounds in summary:

- Volume of Traffic;
- Noise and disturbance;
- The width of the present road and the volume of traffic that use it to gain access to the trading estate and also who will be trying to gain/leave said new site;
- There is already a Sainsbury car park and entrance on that side of the road and at various times does cause a great deal of traffic on this road;
- Opposite to the Sainsbury car park and on the residential side of Montrose Avenue there was an office building, Westwood House which was allowed to be changed over to the Al Quaim Islamic Mission which has also got a new planning application in at the present time.

## **6.0 Consultation**

### **6.1 Environmental Protection**

6.2 No comments received. An update will be provided on the Committee amendments sheet if necessary.

### **6.3 Environmental Quality**

6.4 No comments received. An update will be provided on the Committee amendments sheet if necessary.

### **6.5 Transport and Highways**

6.6 No comments received. An update will be provided on the Committee amendments sheet if necessary.

## **PART B: PLANNING APPRAISAL**

## **7.0 Policy Background**

7.1 The following policies are considered most relevant to the assessment of this application:

### **The National Planning Policy Framework and the Planning Practice Guidance**

### **The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document**

Core Policy 1 – Spatial Strategy

Core Policy 5 – Employment

Core Policy 6 – Retail, Leisure and Community Facilities

Core Policy 7 – Transport

Core Policy 8 – Sustainability and the Environment

Core Policy 10 – Infrastructure

Core Policy 11 – Social Cohesiveness

## Core Policy 12 – Community Safety

### The Local Plan for Slough, Adopted March 2004

Policy EN1 – Standard of Design  
Policy EN3 – Landscaping Requirements  
Policy EN5 – Design and Crime Prevention  
Policy S1 – Retail Hierarchy  
Policy S3 – Major Non-Food Retail Development  
Policy S6 – Food Superstores  
Policy S18 – Security Shutters  
Policy T2 – Parking Restraint  
Policy T8 – Cycling Network and Facilities  
Policy T9 – Bus Network and Facilities  
Policy EMP2 – Criteria for Business Developments  
Policy EMP7 – Slough Trading Estate  
Policy EMP12 – Remaining Existing Business Areas

### Slough Local Development Framework Site Allocations Development Plan Document

SSA5 – 149-153 Farnham Road and 415-426 Montrose Avenue and 427-448 Perth Avenue

### Composite Local Plan – Slough Local Development Plan and the NPPF - PAS Self Assessment Checklist

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. Annex 1 to the National Planning Policy Framework advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The Local Planning Authority has published a self assessment of the Consistency of the Slough Local Development Plan with the National Planning Policy Framework using the PAS NPPF Checklist.

The detailed Self Assessment undertaken identifies that the above policies are generally in conformity with the National Planning Policy Framework. The policies that form the Slough Local Development Plan are to be applied in conjunction with a statement of intent with regard to the presumption in favour of sustainable development.

It was agreed at Planning Committee in October 2012 that it was not necessary to carry out a full scale review of Slough's Development Plan at present, and that instead the parts of the current adopted Development Plan or Slough should all be republished in a single 'Composite Development Plan' for Slough. The Planning Committee endorsed the use of this Composite Local Plan for Slough in July 2013.

7.2 The main planning issues relevant to the assessment of this application are considered to be as follows:

- 1) Principle of development;
- 2) Impact on the vitality and viability of existing centres;
- 3) Design and Impact on the street scene;
- 4) Potential impact on neighbouring properties;
- 5) Parking and highway safety;
- 6) Planning obligations;
- 7) Other issues.



## **8.0 Principle of Development**

### **8.1 Relationship with Site Allocation**

- 8.2 The site forms part of a larger area allocated for retail, for the extension or redevelopment of the existing Sainsbury's supermarket with car parking in the Site Allocations Development Plan Document (site reference SSA5).
- 8.3 It is important to note the background to the site allocation. The reason for the allocation was to reinforce the role of the Farnham Road district shopping centre and enhance its vitality and viability. In addition, it sought the implementation of part of the Trading Estate Masterplan.
- 8.4 The proposal to expand the supermarket was considered in part through the production of the Core Strategy and was supported at the time by a Retail Impact Assessment. The Retail Impact Assessment, prepared in October 2007, demonstrated that a quantitative need existed for additional convenience floorspace in this location at that time. The principle to extend the supermarket was supported given the qualitative need for an anchor store in this location to enhance the retail offer of the Farnham Road Centre.
- 8.5 The site planning requirements state that development proposals should:
- Relocate the store to the west of the site towards the proposed Leigh Road hub (away from the Farnham road, between Montrose Avenue and Perth Avenue);
  - Provide a car park on the east of the site fronting Farnham Road that is accessible to both users of the supermarket and to persons wishing to use the Farnham Road shopping centre and allows parking for long enough to undertake joint trips;
  - Allow for access to the site off Montrose Avenue; making provision for the necessary transport and highway improvements along the Farnham Road and all other affected roads and junctions;
  - Improve pedestrian and cycle access to Farnham Road and include a design and layout attractive and accessible to pedestrians and cyclists;
  - Improve pedestrian and cycle access to Slough Trading Estate in accordance with the Masterplan and ensure that the design and layout is attractive and accessible to pedestrians and cyclists coming from the Estate.
- 8.6 Following advice given by officers, suitable pedestrian links are now shown adjoining the Sainsbury store. Also the car park at the proposed development is now able to be used by shoppers using the Farnham Road, which allows linked trips.
- 8.7 This allocation includes the land to the west of the application site, and the existing supermarket and car park to the east.
- 8.8 Whilst the allocation allows for the extension or redevelopment of the existing supermarket, the applicant has stated that Sainsbury's have confirmed that they no longer intend to either redevelop or extend their store. Therefore, notwithstanding any planning applications for alterations or extensions which may be submitted in the future, it is understood that the supermarket will continue to trade in its current form for the time being.
- 8.9 Furthermore, an industrial building has been erected at 415-416 Montrose Avenue, under the Simplified Planning Zone Scheme. Retail development on that part of the site, pursuant to the site allocation has therefore not been pursued.
- 8.10 As a result, the site the subject of this application constitutes the remainder of the area covered by the allocation for retail purposes.

- 8.11 The proposed development is not for the extension or redevelopment of the existing supermarket, however additional retail floorspace is proposed. Against the background of site allocation SSA5, it is considered that a proposal for additional retail floorspace could be considered acceptable in principle.
- 8.12 Considerations relating to the impact on the vitality and viability of existing centres are discussed below. Notwithstanding this assessment, the key issue in considering the acceptability of the principle of the proposal is considered to be the extent to which this proposed retail development would achieve relevant aims and enhance the retail offer of the Farnham Road Centre. It is considered that opportunities for linked trips and pedestrian movements can be provided. Whilst the site is in an edge of centre location, it is considered that the proposal would provide an important contribution to the centre and effectively function as part of it.
- 8.13 Employment
- 8.14 The applicant has stated that the proposal would provide employment for 141 full time equivalent employees.
- 8.15 Core Policy 5 of the Core Strategy relates to employment. The site is located within the Slough Trading Estate Existing Business Area. There is a general presumption against the loss of employment generating uses within the Existing Business Areas.
- 8.16 This policy sets out that the continued success of the Trading Estate as an employment centre is of great importance to the local economy and the prosperity of the town as a whole. It is also recognised that retailing, leisure, education, health and other service industries are an important source of jobs. As a result they are all classed as “employment” uses for the purposes of this policy
- 8.17 It is considered that the proposal would bring employment benefits through the creation of a significant number of jobs. A currently vacant site would be brought back into employment use and the continued success of the Existing Business Area would be supported. The proposed development would be acceptable in terms of employment and compliant with Core Policy 5 of the Core Strategy.

## **9.0 Impact on the vitality and viability of existing centres**

- 9.1 The site allocation acknowledges that since the time that the original Retail Impact Assessment was undertaken in October 2007, there have been a number of planning proposals for new supermarkets and convenience floorspace that collectively will have the potential to increase the amount of convenience floorspace within Slough over the plan period.
- 9.2 As such, it was stated that any planning application to extend the supermarket will need to recognise this and a revised Retail Impact Assessment will need to be prepared in support of the planning application. This will be used to identify the scale of development appropriate for the site.
- 9.3 The applicant has prepared and submitted a Planning and Retail Statement in support of the application. This statement includes a Retail Impact Assessment. Having regard to this, it is therefore necessary to assess the impact of the proposal to identify the scale of development appropriate for the site.
- 9.4 The National Planning Policy Framework requires that Local Planning Authorities should plan

positively to ensure the vitality and viability of town centres is supported. A 'town centre first' approach should be adopted.

- 9.5 The National Planning Policy Framework sets out two key tests that should be applied when planning for town centre uses which are not in an existing town centre and which are not in accord with an up to date Local Plan: the sequential test and the impact test.
- 9.6 The Planning Practice Guidance states that the sequential test should be considered first as this may identify that there are preferable sites in town centres for accommodating main town centre uses. The sequential test will identify development that cannot be located in town centres, and which would then be subject to the impact test. The impact test determines whether there would be likely significant adverse impacts of locating main town centre development outside of existing town centres (and therefore whether the proposal should be refused in line with policy).
- 9.7 Planning Policy have been consulted and the applicant's Planning and Retail Statement has been assessed.
- 9.8 Sequential Assessment
- 9.9 A sequential test has been undertaken to establish whether or not there would be sequentially preferable sites for accommodating the proposed use.
- 9.10 Following advice given by Officers at the pre-application stage, the applicant has considered two sites in the Farnham Road district centre as part of the sequential test: 193-199 Farnham Road and 370-386 Farnham Road.
- 9.11 The sequential assessment within the Planning and Retail Statement submitted by the applicant has identified that the retail units at 193-199 are too small to accommodate the proposed development. These units are therefore not considered to be suitable. A planning application is currently under consideration in relation to the other site at 370-386 Farnham Road. The proposed scheme is too small to accommodate the proposed development.
- 9.12 The other vacant units in Farnham Road District Centre are all small individual units and could not accommodate the proposed development.
- 9.13 It is considered that compliance with the sequential approach under National Planning Policy Framework has been demonstrated as there are no sequentially preferable sites within Farnham Road District Centre which are available, suitable and viable for the proposed development.
- 9.14 Retail Impact Assessment
- 9.15 With regard to retail impact, as noted above, this is necessary in order that the scale of development appropriate for the site can be identified.
- 9.16 In any event, the quantum of floorspace to be created would appear to exceed the default threshold set out in the National Planning Policy Framework of 2,500 sq.m. There is no locally set threshold and it is therefore considered that consideration of retail impact on existing, committed and planned investment in the retail catchment would generally be required for any additional retail floor space.
- 9.17 Two units are proposed: Unit 1 (to the western end of the building); and Unit 2 (to the eastern end of the building). There are therefore two components to the scheme, as follows:

- Unit 1 would be occupied by a non-food retailer and would sell primarily non-food products across a range of sectors with a focus generally on homewares and seasonal products;
- Unit 2 would comprise a new convenience store and would sell primarily convenience goods.

9.18 The following table sets out the scheme turnover:

Unit	Floorspace (sq m gross)	Floorspace (sq m net)	Goods Type	Turnover (£ per sq m)	Total Turnover (£m)
Unit 1	2,230	663 1,232	Convenience Comparison	4,500 4,500	2.98 5.54
Sub-Total	2,230	1,895	-	-	8.53
Unit 2	678	427 47	Convenience Comparison	7,000 7,000	2.99 0.33
Sub-Total	678	475	-	-	3.32
Total	-	1,091	-	-	5.98
Convenience	-	1,279	-	-	5.98
Total Comparison					
Total	2,908	2,370	-	-	2,370

9.20 With regard to trade diversion, the estimated trade diversion for convenience goods from the proposed development shows that the greatest impact in percentage terms falls on stores in Farnham Road District Centre, such as Lidl and Iceland. However, this impact would be below 6% which is not considered to be significant.

9.21 For comparison goods, the estimated trade diversion from the proposed development will have an impact mainly on Farnham Road – identified impacts are at or below 4%. Impact on the town centre is not considered to be significant at 1.55%, which includes convenience stores with a comparison goods element.

9.22 Overall, it is considered that the impacts identified will not have a significant adverse impact on the Farnham Road district centre.

9.23 Turning to planned investment, the Retail Impact Assessment identifies that the only planned investment in Farnham Road that the proposed development could have an impact on is the proposed store at 380-396 Farnham Road. It is understood that this development would be occupied by a specialist retailer and as such there may be minimal impact on this proposed development.

9.24 It is noted that Farnham Road is a healthy centre with a low vacancy rate. It is considered that the proposed development should not have an adverse impact on the vitality and viability of the centre.

9.25 The Retail Impact Assessment shows that the proposal would not likely lead to significant

adverse impacts on Farnham Road District Centre or other defined centres in terms of investment, trade/turnover and overall vitality and viability. Subject to controls regarding the use, the proposal would be acceptable and would comply with the National Planning Policy Framework and Core Policy 6 of the Core Strategy.

## **10.0 Design and Impact on the Street Scene**

- 10.1 The proposed building would be single storey with no mezzanine floor. The proposed building would be 71 metres in width and 45 metres in depth. The height of the proposed building would be 7.5 metres to parapet level and 8.6 metres high to the ridge of the roof. The roof would have a shallow pitch and would be set behind a parapet.
- 10.2 The proposed building would be sited 44 metres to the south of Montrose Avenue. The customer car park would be situated between the proposed building and Montrose Avenue. The front elevation of the building is broadly inline with the front elevation of the neighbouring Sainsbury's store.
- 10.3 The proposed building would have two customer entrances. These entrances would be expressed with brick surrounds. The elevations would be clad with aluminium cladding. Glazed curtain walling has been incorporated at ground floor level either side of the entrance to Unit 1.
- 10.4 The neighbouring building at 415-416 Montrose Avenue is finished in similar materials. The front of the Sainsbury's store is predominantly glazed. It is considered that the proposed building would be inkeeping with surrounding development in terms of the materials to be used and the appearance of the proposed building. Furthermore, the form, scale, height and massing of the proposal is considered to be acceptable.
- 10.5 In this context, it is considered that the design of the proposal would be acceptable. There is an opportunity to provide landscaping to soften the appearance of the car park and store when viewed from Montrose Avenue and a condition will be recommended regarding the submission and approval of a landscaping scheme.
- 10.6 It is considered that the proposed development would comply with Core Policy 8 of the Core Strategy and Policies EN1 and EN3 of The Adopted Local Plan for Slough.

## **11.0 Potential Impact on Neighbouring Properties**

- 11.1 It is considered that the main areas for consideration in relation to the potential impact on neighbouring occupiers would be with respect to the separation distance between the proposed building and neighbouring properties in terms of overshadowing, overdominance and loss of light; hours of operation and noise; and light pollution. Concerns have also been raised in representations received regarding the position of the access.
- 11.2 Separation Distance
- 11.3 The separation distance between the front elevation of the proposed building and the residential properties on Montrose Avenue to the north would appear to be 55 metres.
- 11.4 The applicant submits that the height of the proposed building would be equivalent to the height of a two storey commercial building. It has been sited to the rear of the site to maximise the separation distance between the residential properties opposite the site and the front of the proposed building.
- 11.5 It is considered that the siting of the proposed building would not give rise to unacceptable

impacts in terms of overshadowing, overdominance and loss of light. The customer car park would be situated between the proposed building and Montrose Avenue.

#### 11.6 Hours of Operation and Noise

11.7 The stated hours of opening of the proposed stores would be as follows:

Monday to Friday		Saturday		Sunday and Bank Holiday	
Start	End	Start	End	Start	End
07:00	21:00	07:00	21:00	10:00	17:00

11.8 It is considered that these hours of use would be acceptable and would be commensurate with the hours of operation of the Sainsbury's store.

11.9 Sources of noise which could potentially impact nearby residential properties would include vehicular traffic entering and exiting the site and manoeuvring in the car park, and pedestrian activity. A Noise Assessment has been submitted in support of the proposed development. this Assessment concludes that the proposed development will not have a significant adverse impact on health or quality of life through increased noise.

11.10 As noted above, the proposed retail units would operate between 07:00 – 21:00 Monday-Saturday and 10:00 – 17:00 on Sundays and Bank Holidays.

11.11 The access to the proposed car park is situated to the north western corner of the site. The access to the Sainsbury's supermarket is situated to the east. Whilst the concerns of neighbouring residents are noted, it is considered that the proposed access arrangements would not give rise to unacceptable adverse impacts.

11.12 Staff parking is located to the rear of the building. Deliveries would also take place to the rear of the building and a condition is recommended regarding the hours of deliveries.

#### 11.13 Light Pollution

11.14 The front elevation of the building includes glazing at ground floor level. The extent of this glazing would however be limited and light spill from within the building would unlikely be significant.

11.15 A condition is however recommended with respect to the submission of a lighting scheme for the site including the car park area, as the design of external lighting will be important in ensuring that any potentially light pollution is controlled.

11.16 Signage would be subject to control under the Town and Country Planning (Control of Advertisements) Regulations 2007.

11.17 It is not considered that the proposal would have the potential to give rise to noise levels that would be undue and should give rise to the refusal of the application.

### 12.0 Parking and Highway Safety

12.1 Core Policy 7 of the Core Strategy sets out the Planning Authority's approach to the consideration of transport matters. The thrust of this policy is to ensure that new development is sustainable and is located in the most accessible locations, thereby reducing the need to travel.

- 12.2 Policy T2 of The Adopted Local Plan for Slough seeks to restrain levels of parking in order to reduce the reliance on the private car through the imposition of parking standards.
- 12.3 Policy T8 of The Adopted Local Plan for Slough relates to Cycling Network and Facilities. This policy states that permission will not be granted for proposals which do not include suitable cycle access to and through the site and cycle parking racks and other facilities for cyclists as an integral part of the development.
- 12.4 A Transport Assessment and Travel Plan has been submitted in support of the proposal. The Council's Transport consultant has been consulted and comments are awaited. An update will be provided on the Committee amendment sheet.

### **13.0 Planning obligations**

- 13.1 The need for planning obligations will be considered in light of the comments received from consultees; however it is anticipated that matters to be included in a Section 106 Agreement could include obligations relating to the use of the units and mitigation necessary to make the development acceptable in planning terms. An update will be provided on the Committee amendments sheet.

### **14.0 Process**

- 14.1 In dealing with the application, the Local Planning Authority has worked with the applicant in a positive and proactive manner. The development is considered to be sustainable and in accordance with the requirements of the National Planning Policy Framework.

### **15.0 Summary**

- 15.1 The proposal has been considered against relevant development plan policies, and regard has been had to the comments received and letters of objection received from residents living near the site, and all other relevant material considerations.
- 16.2 It is recommended that the application be delegated to Strategic Lead Planning Policy for consideration of consultee responses and further consideration of relevant issues, formal determination following completion of a Section 106 Agreement and finalising of conditions.

## **PART C: RECOMMENDATION**

### **17.0 Recommendation**

- 17.1 Delegate to the Development Management Lead Officer for consideration of consultee responses and further consideration of relevant issues, formal determination following completion of a Section 106 Agreement and finalising of conditions.

## **PART D: LIST OF CONDITIONS - HEADINGS**

Commencement within three years from the date of this permission;  
Development to be carried out in accordance with approved plans;  
Submission of materials for approval;  
Submission of details of surfaces for approval;  
Submission of details of boundary treatment;

Submission of details of cycle parking;  
Submission of details of bin storage;  
Definition of permitted use;  
Removal of permitted development rights for alterations and extensions;  
No extension, mezzanine floor or sub-division;  
No storage of goods or materials in the open air;  
No external security shutters to be installed without planning permission;  
Hours of use;  
Hours of deliveries;  
Use of the car park;  
Protection of noise climate;  
Submission of details of plant and machinery;  
Submission of details of landscaping scheme;  
Submission of details of lighting scheme;  
Submission of details of drainage;  
Hours of construction;  
Submission of Working Method Statement;  
Submission of measures to control waste during construction.



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**Consultation**

**Transport and Highways**

The Council's transport consultant has commented that there are outstanding issues with the proposal.

Car parking and cycle parking provision is considered to be acceptable.

The proposed retail units would be serviced from the rear and swept path drawings have been provided which are considered acceptable.

A Travel Plan has been provided however it is considered that this is not currently acceptable and must be revised.

The need for transport mitigation has been identified and this is subject to on-going negotiation.

**Planning Policy**

For clarity, it should be noted that Planning Policy were consulted on the application (as stated at paragraph 9.7) and raised no objections. Planning Policy's comments were incorporated into the main body of the officer report.

**Conditions**

Additional conditions are recommended covering the means of access; the submission of a Construction Management Plan; vehicle crossovers; access gates; pedestrian visibility; and surface water.

**NO CHANGE TO RECOMMENDATION**

## **SUPPLEMENTARY REPORT TO PLANNING COMMITTEE**

### **Background**

At the Meeting of Planning Committee on 24th July 2014, the Committee resolved to deferred the application to allow provision of improved revised access and car park provision. A copy of the original officer's report to Planning Committee (Appendix A) and associated amendments (Appendix B) are attached for information purposes.

### **Access and Car Park Provision**

Following the Committee meeting on 24th July 2014, the applicant has rigorously explored options for the provision of improved revised access and car park provision involving the delivery of a shared car park.

The applicant has advised that due to lease arrangements, any shared access solutions could only be delivered with full agreement of Sainsbury's. The applicant contacted Sainsbury's regarding the matter following the Committee meeting and communication has been ongoing.

The applicant has submitted a detailed note summarising the discussions that have taken place and this is contained within Appendix C.

Various options have been tabled for discussion and meetings were held with officers on 7th August 2014 and 24th September 2014 regarding the issue. A representative from Sainsbury's attended the meeting held on 24th September 2014 along with the applicant and their planning and transport consultants.

The applicant subsequently formerly submitted a revised layout plan. Reconsultation was undertaken with neighbouring occupiers; however officers have since been informed that formal agreement has not been secured and as such, the revised access and car park provision envisaged cannot be delivered.

As agreement between the parties has not been forthcoming, the applicant has had to revert back to the original site layout.

### **Unit Size**

The applicant has increased the floor area of Unit 2 from 648 square metres to 742 square metres (an increase of 64 square metres). The net sales area will increase from 475 square metres to 520 square metres.

An addendum to the Planning and Retail Statement has been submitted for consideration. Consultation has been undertaken with Planning Policy and it is considered that the increase in floor area would not have a significant negative impact on the vitality and viability of Farnham road.

Reconsultation has been undertaken on this change in the context of the original site layout as discussed above.

### **SPZ Notification**

An SPZ notification was received on 11th September 2014 for the proposed erection of a detached and two semi-detached units. The proposal would provide 3,775 square metres of floor space for B1(b), B1(c), B2, B8 or collocation uses.

## **Consultation**

Further representations have been received following reconsultation, as follows:

### Occupier of Montrose House – Object for the following reasons in summary:

- The junction is already a traffic stress point – plans for improvements require land to the north edge of the junction which has not thus far been secured;
- There would be an additional volume of over 1,700 vehicle movements every day;
- The development would present a considerable and unacceptable addition to the already overburdened Montrose Avenue-Farnham Road junction.

### Occupier of 21 Montrose Ave – Object for the following reasons in summary:

- Very strong objection to the placement of the entrance opposite my drive – this would cause major congestion;
- Highway safety issues and loss of privacy will only add to the already awkward access;
- Huge increase in volume of traffic;
- Yellow parking lines cease and cars are parked there all day restricting the traffic to a single lane;

### Occupier of 22 Montrose Avenue – Object for the following reasons in summary:

- This road can not take two entrances, this is a residential road and we are already having parking and use of premises issue at the present time with the Al Quaim Mission Centre.

## **Other Issues**

The concerns regarding highway and transport issues are noted and the Council's consultant has identified the need for mitigation.

With regard to Section 106 matters, the applicant has agreed to contribute towards highway improvements; parking regulations along Montrose Avenue; Travel Plan Monitoring and provide land for cycle parking.

The highway improvements would relate to a junction improvement scheme at Montrose Avenue / Farnham Road. The applicant would contribute towards this scheme and additional funds and land may be required to implement the necessary improvements.

It is considered that these obligations would be reasonable and would comply with Regulation 122 of The Community Infrastructure Levy Regulations 2010 in that it would be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

## **RECOMMENDATION**

Delegate a decision to the Acting Planning Manager for satisfactory Section 106 Agreement; to consider any further observations from neighbours / consultees; to agree any minor amendments to the planning application, draft conditions and Section 106 planning obligation matters.

21529/A3/TA

10<sup>th</sup> November 2014

**SUMMARY OF ACTIONS TAKEN TO ACHIEVE REVISED CAR PARKING LAYOUT SOLUTION**

Date	Nature of correspondence
07/08/2014	<p>A meeting was held between the Applicant (including their Planning and Highways Consultants) and Slough Borough Council. Potential options were discussed for delivering a shared car park, as part of the proposed scheme, in association with the existing car park which serves Sainsbury's on Farnham Road / Montrose Avenue.</p> <p>It was acknowledged that due to the lease arrangements that any shared access solutions could only be delivered with full agreement of Sainsbury's.</p> <p>Alternative locations for a stand-alone access were also discussed should a shared solution not be deliverable. It was agreed that the position of the access originally submitted was the preferred location if a shared access solution was not deliverable.</p>
13/08/2014	<p>Building on the discussions with Slough Borough Council at the meeting on 07/08/2014, an e-mail was sent to Sainsburys' agents with the first draft of the revised car park layout (Drawing No. 17563-486-004).</p>
20/08/2014	<p>Following no response to the e-mail and layout plan sent to Sainsburys' agents on 13/08/2014, a further e-mail was sent to Sainsburys' agents querying whether there was any feedback.</p>
22/08/2014	<p>An e-mail was received from Sainsburys' agents with initial comments in respect to the first draft of the revised car park layout issued on 13/08/2014. The following concerns were raised:</p> <ol style="list-style-type: none"> <li>1. Exit from the site for Sainsburys' customers would be onerous due to need to route through the new car park.</li> <li>2. New proposed access has multiple junctions/decision points in close proximity which would lead to conflicts, delays, congestion and possible accidents.</li> <li>3. There is no stacking length on either access or egress which will potentially cause unacceptable delays during peak periods.</li> <li>4. Proposed one-way flow reverses what customers are used to at present and makes exiting even more onerous depending on parking location. Circulation is generally unacceptable.</li> </ol>
26/08/2014 and 27/08/2014	<p>The Applicant sent two e-mails to Slough Borough Council outlining the concerns raised by Sainsbury's in their e-mail of 22/08/2014.</p>
03/09/2014	<p>In response to the concerns it was agreed between the Applicant and Slough Borough Council that the best approach would be to undertake a further meeting, inviting a representative from Sainsbury's to be involved to discuss and attempt to work through the concerns raised.</p>
08/09/2014	<p>The Applicant sent an e-mail sent to Sainsburys' agents inviting a representative from Sainsbury's to attend a meeting between the Applicant and Slough Borough Council in order to resolve the issues they had previously raised in their e-mail of 22/08/2014.</p>
11/09/2014 and 12/09/2014	<p>It was agreed that Sainsburys' Highway Manager would attend the meeting scheduled for 24/09/2014 between the Applicant and Slough Borough Council.</p>

12/09/2014	Slough Borough Council's Highways Officer issued a number of sketches identifying how the revised car park layout could look with the intention that they would aid the meeting on 24/09/2014. These plans were also issued to the Sainsburys' Highway Manager.
24/09/2014	<p>The meeting between the Applicants (including their Planning and Highways Consultants), Slough Borough Council, and Sainsburys' Highway Manager was held on 24/09/2014.</p> <p>Sainsburys' Highway Manager confirmed that they were willing to consider a revised car park layout, which would see a combined car park between the existing Sainsbury's supermarket and the proposed scheme at Montrose Avenue currently subject to planning.</p> <p>The Highway Manager identified that the final decision on the car park would be made by Sainsburys' Property Board. Sainsburys' preferred layout would include a widened access with a roundabout within the car park so that Sainsburys' customers could exit the site without having travel around the car park. The Highway Manager emphasised that Sainsbury's would prefer to loss no parking as part of the revised layout, however the Property Board would be looking for betterment, therefore delivery of a more user friendly car park may balance a minimal loss of parking.</p>
25/09/2014	A second draft of the revised car park layout (Drawing No. 17563-486-SK01) was issued to Sainsburys' Highway Manager. The layout saw Sainsbury's gain two additional car parking spaces and the overall number of spaces proposed by the scheme at Montrose Avenue reduced by one. Building on the discussion at the meeting on 24/09/2014, a mini-roundabout was introduced within the revised car park layout, with an egress / access serving a central spine road, with a further egress to the west.
26/09/2014	<p>Sainsburys' Highway Manager indicated by e-mail that they welcomed the second draft of the revised car park layout and would put it to their Car Park Manager and Property Board.</p> <p>This was followed by a further e-mail asking if the central spine road could include two exit lanes so cars turning right did not block people trying to turn left out of the car park.</p>
01/10/2014	<p>In response to Sainsburys' request of 26/09/2014, the third draft of the revised car park layout was issued to the Highway Manager (Drawing No: 17563-486-SK01), showing the widening of the central spine road egress to provide a further flared lane for left turning traffic back onto Montrose Avenue. This layout would result in the loss of four parking spaces from the proposed scheme, but no losses to car parking at Sainsbury's. The prospective retailers initially had concerns at the loss of four parking spaces, however they reluctantly agreed to the loss in order to deliver the revised car park layout solution with Sainsbury's.</p> <p>Concerns were also raised by the Applicant that the length of the central spine road would result in the flare becoming blocked by three vehicles waiting to turn right, limiting its effectiveness. Drivers may choose to use the egress to the west of the site as a result.</p>
02/10/2014	Sainsburys' Highway Manager suggested that the issue of cars blocking the central spine road could be resolved by introducing a hatched area which cars could overrun during busy times.

16/10/2014	Revised plans were issued to Slough Borough Council reflecting the third draft of the revised car park layout and incorporating the hatched area as requested by Sainsburys' Highway Manager.
28/10/2014	E-mail received from Sainsburys' Highway Manager outlining that the Property Board had "serious concerns" regarding congestion of the internal mini roundabout. It was therefore requested that the central spine road be reduced to a single egress lane and the layout be amended so that users of the car park associated with the proposed scheme can only exit the car park from a dedicated egress to the west. It was also made clear that the Property Board would only consider the shared car park layout if their car park was resurfaced at no extra cost, as resurfacing half a car park would not be acceptable.
03/11/2014	<p>A further e-mail was received from Sainsburys' Highway Manager identifying that the shared car park proposal was discussed again at the Property Board. The Property Board reiterated their fears of congestion at the proposed internal mini roundabout. The Board were concerned that the proposal could make the access / egress into the car park associated with the Sainsbury's supermarket worse than the existing situation if the mini roundabout is heavily congested. The Board therefore confirmed that they were unable to approve the shared access in its current form.</p> <p>The Highway Manager indicated that the Board may reconsider their decision if users of the car park, associated with the proposed development, were only able to exit the site from the dedicated egress to the west.</p>
04/11/2014	The Applicant e-mailed Sainsburys' Highway Manager to confirm that it was not acceptable to prospective retailers to have a restrictive exit from the site. These retailers will not accept only being able to exit the site from the dedicated egress to the west of the site.
04/11/2014	Sainsburys' Highway Manager responded to the Applicant's earlier e-mail that whilst they agreed the central spine road, with a shared egress and access, would alleviate congestion when exiting onto Montrose Avenue, Sainsburys' concerns remained regarding congestion at the internal mini roundabout.
05/11/2014	The Applicant confirmed that they were willing to resurface Sainsburys' car park, but would not be able to commit to Sainsburys' preferred layout.
06/11/2014	Sainsburys' Highway Manager confirmed that a layout could not be agreed between the two parties.

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The Committee Report makes reference on page 26 of the fact that a SPZ notification that has been submitted on 11<sup>th</sup> September 2014. This date is incorrect and the notification was received on 11<sup>th</sup> November 2014, which was the day before the previous SPZ expired. In light of the fact that this notification has not been implemented prior to the expiry of the previous SPZ, as required in the document, it will not be possible for Segro to implement the scheme that has been submitted. Any future SPZ scheme will have to comply with the latest scheme, which means the new height restrictions apply in this 'Sensitive Boundary Zone' i.e. no buildings (including plant) exceeding 7m in height.

**NO CHANGE TO RECOMMENDATION**