

Registration Date: 29-Dec-2015
Officer: Neetal Rajput
Applic. No: P/10734/004
Ward: Colnbrook with Poyle
Applic type: Major
13 week date: 29th

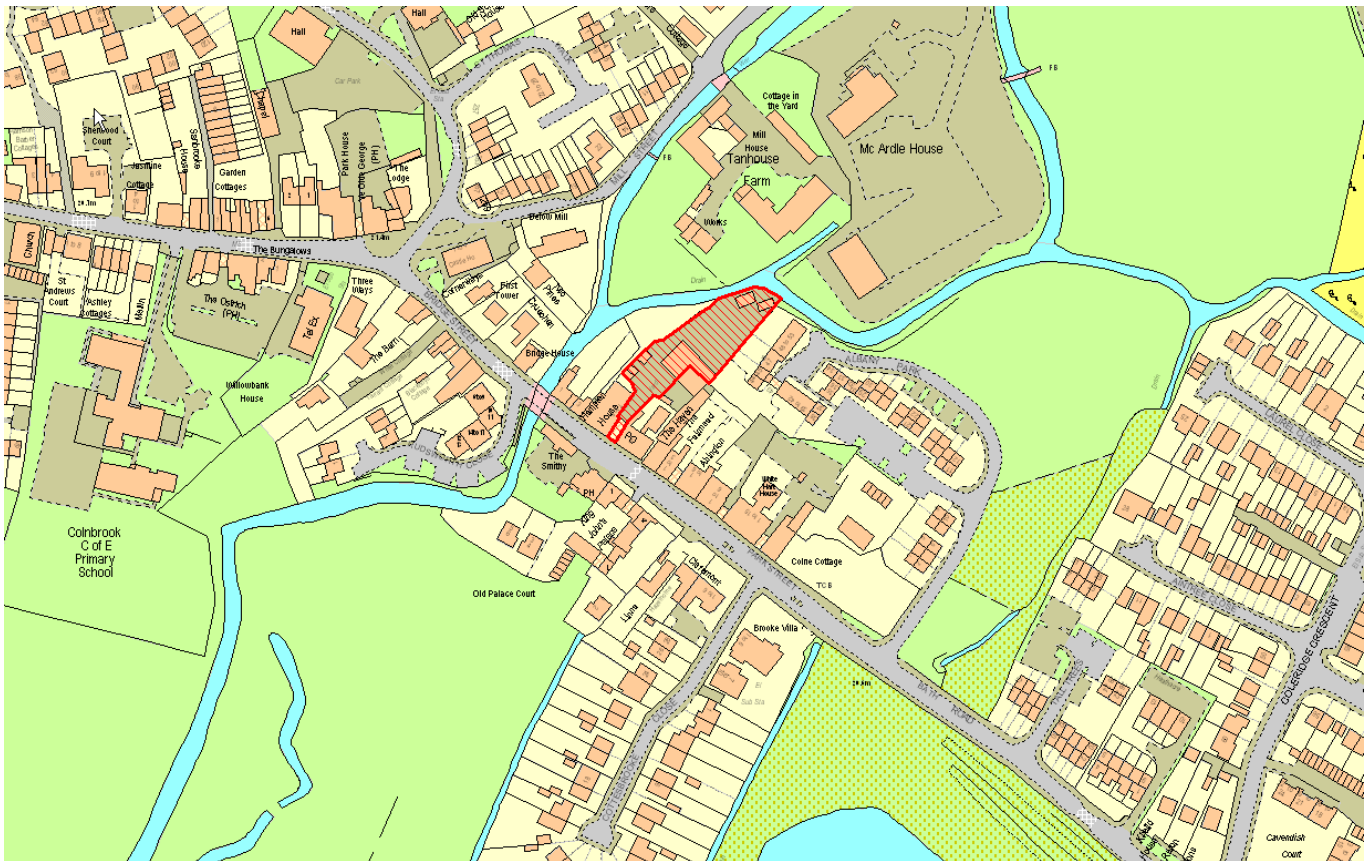
Applicant: Mrs. Gaynor Fletcher

Agent: Mr. Taylor Cherrett Peter Brett Associates LLP, Caversham Bridge House, Waterman Place, Reading, Berkshire, RG1 8DN

Location: Freestone Yard, Park Steet, Colnbrook, SL3 0HT

Proposal: Outline application with all matters reserved for subsequent approval for the construction of up to 18no. one and two bedroom flats comprising the conversion of two existing commercial buildings and the erection of a new building, together with ancillary car parking, landscaping, tree works and vehicular and pedestrian access from Park Street.

Recommendation: Delegate to the Planning Manager for approval



1.0 **SUMMARY OF RECOMMENDATION**

1.1 This application has been referred to the Planning Committee for consideration as the application is for a Major Development.

1.2 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 the Planning Manager for approval, following consideration of outstanding consultations, finalising of conditions and Section 106 Agreement.

PART A: BACKGROUND

2.0 **Proposal**

2.1 This is an outline planning application for construction of 17no. dwellings, the proposal will comprise of 1no. two bedroom house, 8no one bed flats and 8no. two bed flats. The proposal includes the conversion of two existing commercial buildings and the erection of two new buildings to accommodate the 17no. dwellings, together with ancillary car parking, landscaping, tree works, vehicular and pedestrian access from Park Street. Details relating to appearance, means of access, landscaping, layout and scale have been reserved for subsequent approval.

The application was originally submitted for 18 units, however the number of units have been amended to mitigate the impact of the proposed development to the occupiers of Albany Court.

2.2 The application is accompanied by the following documents:

- Illustrative floor plans, elevations and sections;
- Design and Access Statement;
- Planning Statement;
- Heritage Assessment;
- Townscape & Visual Statement;
- Transport Assessment;
- Flood Risk Assessment & Outline Drainage Strategy;
- Sequential Test Assessment;
- Noise Report;
- Landscape Strategy; and
- Arboricultural Impact Statement

Members are advised that being illustrative the plans are not binding on the Applicant as part of planning permission which may be granted, but are submitted as a means of establishing an appropriate level of development and to allow the Council to set out appropriate planning parameters to control the scale and nature of the development.

2.3 The proposal is to provide 8 no. one bedroom flats, 8 no. two bedroom flats and 1 no. two bedroom house. The units will be provided in part through the conversion of two existing buildings together with new build to the rear of the site adjacent to the

Coln Brook.

2.4 There will be the demolition of a double garage storage, a covered working and storage area and three storage cabins to allow for the proposed development. The existing two storey commercial unit and main workshop and offices above will be converted into residential use. These will provide 6 of the proposed residential units. The application also includes two new buildings to provide the additional 11 units, which are between three storeys high with the provision of roof space, including the potential provision of dormers in the roof space. The proposed building will be between 9.5m - 12.6m in height to the ridge, 8.5m in depth and 35.3m wide. The proposed building also provides a carport area to accommodate car parking.

2.5 It is proposed that 24 spaces will be provided on site for both the proposed development of 17 flats and the existing 6 flats which park here. This results in provision of 1 space per dwelling. 24 cycle parking spaces are to be provided, this is one per dwelling, including the existing 6 flats.

3.0 **Application Site**

3.1 The site area is 0.15 hectares. The site is currently occupied by 80m² of A1 shops use and 290m² of B1a office use. There are 6 existing flats at the front of the site which will be retained. The site is within the Colnbrook Conservation Area and the entrance to the site is formed by an archway under what was a former coach house which comprises, Hampton House and the Post office, both of which are Grade II listed buildings.

3.2 The site is an extensive backland site which stretches northwards as far as the Coln Brook which is a main river, the responsibility for which falls to the Environment Agency. Beyond the river to the north is Tan House Farm and to the north east is the McArdle's site. To the east are the relatively modern part three storey/part two storey flats at Albany Park and to the west is the heavily treed rear garden belonging to Hampden House. Access to the proposal premises is via the protected listed arch facade which falls between Hampden House and the Post Office. Hampton House and the Post Office form part of the original style coaching house and are listed as Grade II buildings on the statutory list.

3.3 By reference to the submitted Planning Statement it is noted that, the existing buildings on site are an eclectic mix of commercial properties, which it is understood provide premises for 3 no. independent and unrelated businesses, the main business being occupied by PH Jackson & Son (Building Ltd).

3.4 The yard is hard surfaced with parking for commercial vehicles and cars, which take access via the existing archway from Park Street.

3.5 The Environment Agency's Flood Zone map shows:

- The south of the site lies mainly in Flood Zone 1 'Low Probability' (less than a 1 in 1000 (0.1%) annual probability of river flooding).
- The north of the site is within Flood Zone 2 'Medium Probability' (between a 1 in 100 (1%) and 1 in 1000 (0.1%) annual probability of river flooding).

There are a number of mature trees within the neighbouring sites and these trees are located along the northern and eastern boundaries of the site. As the trees are located within a Conservation area, a blanket protection is provided for all trees having a stem diameter greater than 75mm when measured at 1.5 metres above ground level.

4.0 **Relevant Site History**

4.1 Relevant site history relating to this site is as follows:

- P/10734/003 CONVERSION OF EXISTING OFFICE BUILDING TO 2NO. FLATS

Withdrawn by Applicant 01-Jul-2004

Post Office Building

- P/10734/002 ERECTION OF A SINGLE STOREY PITCHED ROOF STORAGE AREA

Approved with Conditions 17-Sep-2002

Flats in Freestone Yard

- P/10734/001 INSTALLATION OF NEW WINDOWS, UPVC, CONSERVATION AREA CONSENT

Approved with Conditions; Informatives 28-Nov-2000

Freestone Works

- P/10734/000 ERECTION OF FIRST FLOOR PITCHED ROOF REAR EXTENSION

Approved with Conditions; Informatives 25-Jan-1999

4.2 Pre-application Advice

Prior to submission of the application, the Applicant sought pre-application advice from the Local Planning Authority. Flooding was raised as an issue and it is understood that the Agent's contact the Environment Agency for their views to better gauge the flooding issues in the area prior to submission of a formal planning application. Subsequently a Flood Risk and Sequential Test was submitted with this application. The Environment Agency has confirmed that subject to conditions, they do not have any objections to the proposal.

5.0 **Neighbour Notification**

3, Park Street, Colnbrook, Slough, SL3 0HS, Flat 2, King Johns Palace, Park Street, Colnbrook, Slough, SL3 0JG, Star & Garter, Park Street, Colnbrook, Slough, SL3 0JF, Flat 1, Freestone House, Park Street, Colnbrook, Slough, SL3 0HS, Flat 2, Freestone House, Park Street, Colnbrook, Slough, SL3 0HS, Flat 3, Freestone House, Park Street, Colnbrook, Slough, SL3 0HS, 43, Albany Park, Colnbrook,

Slough, SL3 0JU, Tan House Farmhouse, Mill Street, Colnbrook, Slough, SL3 0JP, 47, Albany Park, Colnbrook, Slough, SL3 0JU, 46, Albany Park, Colnbrook, Slough, SL3 0JU, Flat 3, King Johns Palace, Park Street, Colnbrook, Slough, SL3 0JG, 51, Albany Park, Colnbrook, Slough, SL3 0JU, 52, Albany Park, Colnbrook, Slough, SL3 0JU, 53, Albany Park, Colnbrook, Slough, SL3 0JU, 48, Albany Park, Colnbrook, Slough, SL3 0JU, 49, Albany Park, Colnbrook, Slough, SL3 0JU, 50, Albany Park, Colnbrook, Slough, SL3 0JU, Post Office, 5, Park Street, Colnbrook, Slough, SL3 0HS, Flat 4, Freestone House, Park Street, Colnbrook, Slough, SL3 0HS, 2, Park Street, Colnbrook, Slough, SL3 0HS, Badminton, Park Street, Colnbrook, Slough, SL3 0HS, Hampton House, Park Street, Colnbrook, Slough, SL3 0HS, Flat 1, The Haven, Park Street, Colnbrook, Slough, SL3 0HS, Flat 4, King Johns Palace, Park Street, Colnbrook, Slough, SL3 0JG, Flat 1, King Johns Palace, Park Street, Colnbrook, Slough, SL3 0JG, 44, Albany Park, Colnbrook, Slough, SL3 0JU, 1, Park Street, Colnbrook, Slough, SL3 0HS, 45, Albany Park, Colnbrook, Slough, SL3 0JU, The Smithy, Park Street, Slough, Berkshire, SL3 0JF, McArdle House, McArdle Way, Colnbrook, Slough, SL3 0RG, Flat 5, Freestone House, Park Street, Colnbrook, Slough, SL3 0HS, Flat 3, The Fairmead, Park Street, Colnbrook, Slough, SL3 0HS, Flat 1b, The Fairmead, Park Street, Colnbrook, Slough, SL3 0HS, Flat 1a, The Haven, Park Street, Colnbrook, Slough, SL3 0HS, Flat 2, The Fairmead, Park Street, Colnbrook, Slough, SL3 0HS, Flat 3b, The Fairmead, Park Street, Colnbrook, Slough, SL3 0HS

5.1 There has been one objection received on 3rd February 2016:

There isn't sufficient access adjoining my grade 2 listed property, for the number of cars proposed.

The height of the archway is less than 3m. A skip lorry would only pass through, with the skip unloaded, and dangling freely. A dangerous and unsafe process.

A fully loaded skip would not pass under the archway. In the past when a skip lorry has tried to access Freestone Yard, it has caused traffic chaos, as it blocks the road, whilst trying to maneuver access.

Customers to the shop have blocked off access to the archway, by parking in front of the archway. This has caused altercations in the shop between Customers and car drivers wanting access.

Over the years a number of lorries have damaged the archway, as they were too large for the space, causing structural damage to my property, as there is a supporting beam that rests on my wall.

The archway is barely wide enough for a single car. It would not be possible for a car and pedestrian to enter or leave at the same time.

There is very poor visibility for cars leaving the archway. Cars parked on both sides of the road, further restricted the view for the seated driver. The lack of visibility whilst seated in a car may be fatally dangerous for both drivers leaving or entering through the archway.

Pedestrians and cyclists on the pavement will be put at risk with the archway under constant use.

The proposal, intends to widen the entrance by a metre outside my property. This will reduce the safe pavement area outside my front door.

It would also run over my existing water meter and the entry point to my property. Customers into the Shop will further be inconvenienced, by the restricted access, especially disabled customers.

There will be a substantial increase in the noise levels in my property as cars and vans accelerate through the small entrance.

The vibrations of the vehicles will cause structural damage to my property.

There is only sufficient space for a single vehicle for 20 metres through the entrance of Archway. Vehicles turning into the archway, will be at greater risk on meeting oncoming traffic, against the flow.

The current refuse collection area is inadequate. Black bin bags full of rubbish, old furniture and disused tyres are left outside my property. This litter will increase with more flats.

Flat owners with dogs, allow their pets to defecate on my property, without cleaning up the mess. With young children living at my property, this is a particular health hazard. The occurrence of this is likely to increase with the number of flats proposed.

I have vehicular access to the rear of my property. Sufficient car space is required for a turning circle on either side of my access to allow myself and my disability card carrying wife, to park our car.

6.0 **Consultation**

6.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015, one site notice was displayed at the site on 12th January 2016. The application was advertised in the 15th January 2016 edition of The Slough Express.

6.2 **Highways & Transport**

Trip Generation

In pre-application guidance it was advised that, due to concerns over the listed access to the site and the restrained visibility, for the development to be acceptable it must be demonstrated that there is no intensification in the use of the access, therefore no increase in the number of trips between the current and the proposed development.

In line with pre-application advice the applicant has carried out paper surveys (agreed with the Local Highway Authority prior to them being carried out) for the

existing use of the site, on a weekday between the hours of 05:30 and 19:00, to record the number of vehicles and pedestrians entering and leaving the site. In the Transport Statement the following results are presented:

Movement Type	AM Peak 0800-0900		PM Peak 1700-1800		Daily Trips	
	Arrival	Departure	Arrival	Departure	Arrival	Departure
Car	3	0	1	8	21	20
LGV	0	1	1	0	11	10
HGV	0	0	0	0	2	1
Peds	0	0	0	1	10	11

This shows 65 total daily two way vehicle trips were observed (or 68 PCUs).

In order to compare this to the proposed use and calculate net trips the applicant carried out a TRICS analysis for 18 privately owned flats located in a suburban or residential location, this method is accepted. The following results were collected:

Time Period	Vehicle Trip Generations (18 dwellings)		
	Arrival	Depart	2-way
0800-0900	1	5	6
1700-1800	6	2	8
Daily	35	32	67

(Please note that amendments have been made to reduce the units to 17)

This means that that the proposed development is likely to generate a similar number of daily trips per day. From this trip generation exercise therefore it can be agreed that there is unlikely to be an intensification in the use of the site in regards to vehicle trips. The benefit of the proposed development is there will be a reduction in LGV and HGV movements as the industrial use at the rear of the site will discontinue.

S106 agreement

The applicant will need to enter into a section 106 agreement with Slough Borough Council to secure the following obligations:

- Residents of the development ineligible to apply for on-street parking permits in any existing or future on-street parking schemes;
- 6 of the 24 spaces to be assigned to the 6 existing flats;
- Splayed entry crossover with transition kerbs of 1m on either side of the access using granite kerb materials and resurfacing the carriageway crossover – it may be appropriate for the applicant to agree a small contribution to cover this cost.

Recommendation

Such to the applicant agreeing to the S106 requests I would raise no highway objection.

6.3 Colnbrook with Poyle Parish Council

Members had concerns over the vehicle access especially in relation to pedestrian safety.

Local Planning Authority Response

The access currently serves a commercial and residential use at the site.

From the trip generation analysis, there is unlikely to be an intensification in the use of the site in regards to vehicle trips. The benefit of the proposed development is there will be a reduction in LGV and HGV movements as the industrial use at the rear of the site will discontinue as stated within the Highways & Transport comments.

In addition the access has always been shared for both vehicles and pedestrians and there is no scope to increase the width due to the constraints of the built archway.

6.4 Land Contamination

Historical mapping indicates there was an engineering works on site from at least 1971, and the 1995 maps indicate the works are still present (just labelled as 'works'). Given the history of various workshops on the site, the potential for contamination is likely to be medium.

The nearest potential sources of off-site contamination are: a former Smithy approximately 85m west, a former Factory workshop approximately 95m to the south-east and a historic landfill approximately 130m to the south-east of the proposed development.

Based on the above I would recommend pre-commencement conditions to be placed on the application.

6.5 Housing Development

The following commuted sum is required for Affordable Housing:

Unit Type	Full scheme	Number (at 30%)	Funding Shortfall	Total Funding Shortfall
1BF	8	2	£30,000	£60,000
2BF	8	2	£35,000	£70,000
2BH	1	0	£59,500	£0
total	17	4		

Total commuted sum payable

£130,000

6.6 Drainage Engineer

The Council's Drainage Engineer has advised that given that this is an outline

planning application that a drainage strategy is required to demonstrate that the site can be suitably drained using SUDs, relevant conditions have been attached.

6.7 **Flood Management Team Leader**

On the condition that ground levels within floodplain 2 and 3 are not raised and that the development is constructed as per the flood mitigation strategy outlined in the Flood Risk Assessment, Slough Borough Council considers the development to be acceptable with regard to flood risk.

6.8 **Berkshire Archaeology**

An archaeological watching brief can be secured by condition, should the application be permitted.

An archaeological watching brief, focused on the new building to the rear of the property and any associated service runs, would adequately mitigate the impacts of proposed development in accordance with national and local planning policy. Alternatively the applicant may wish to consider the excavation of an exploratory trial trench within the foot print of the new building at an early stage in order to address the uncertainty.

6.9 **Thames Water**

No representations have been received at the time of writing this report. Should any representations be received, they will included on the Amendment Sheet.

6.10 **Environment Agency**

We have no objections to the proposed development, as submitted, subject to the inclusion of the below condition in any planning permission granted. Without the inclusion of this condition we consider that the development poses an unacceptable risk to people and property from flooding.

Condition – Flood risk mitigation

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (PBA ref. 31822/001, dated December 2015) and the following mitigation measures detailed within the FRA:

1. Provision of measures for compensatory flood storage, including voids to the new apartment building, designed in accordance with the details contained in the FRA.
2. Finished floor levels set no lower than 20.9m AOD.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reasons: The proposed new apartment building is located within the 1% AEP (annual exceedance probability), including an allowance for climate change, flood

extent. Therefore, there is a high probability of flooding to the development within its lifetime. The above mitigation measures are required in order to ensure that the development is safe, without displacing flood risk elsewhere, as required by paragraph 100 of the National Planning Policy Framework (NPPF).

Sequential Test

We note that the FRA is accompanied by a report on how the proposals pass the flood risk Sequential Test, as required by paragraph 101 of the NPPF. Please note it is the role of the local planning authority to determine and assess the acceptability of the Sequential Test. Our role is to advise on the process of the Sequential Test. We do not comment upon comparative assessment of land, its availability or suitability for a particular form of development.

Groundwater protection

Due to increased workload prioritisation we are unable to make a detailed assessment of this application with regards to groundwater protection. We have checked the environmental constraints for the location and have the following guidance.

The environmental risks to groundwater relate to the underlying Alluvium, designated as a Secondary A Aquifer. This designation indicates a permeable layer capable of supporting water supplies at a local rather than strategic scale, and in some cases forming an important source of base flow to rivers.

The Planning Statement states that there have been previous commercial/manufacturing uses at the site, but we are not clear on the full history of the site and the associated risks.

Previous industrial uses could have resulted in land or groundwater at the site being contaminated. Development of the site could increase these risks, by creating new pathways for contaminants to pollute groundwater.

If infiltration drainage is proposed then it must be demonstrated that it will not pose a risk to groundwater quality. We consider any infiltration SuDS greater than 3m below ground level to be a deep system and generally not acceptable. All infiltration SuDS require a minimum of 1m clearance between the base and peak seasonal groundwater levels. All need to meet the criteria set out in our Groundwater Protection: Principles and Practice (GP3) document¹. In addition, they must not be constructed in ground affected by contamination.

Advice to developer – Flood Defence Consent

We recommend that the following advice is included as an informative in the decision notice to any planning permission: Under the terms of the Water Resources Act 1991, and the Thames Land Drainage Byelaws 1981, the prior consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the River Colne and Country Ditch, both designated as ‘main rivers’.

No representations have been received at the time of writing this report. Should any representations be received, they will included on the Amendment Sheet.

6.12 Tree Management Officer

No representations have been received at the time of writing this report. Should any representations be received, they will included on the Amendment Sheet.

6.13 Environmental Quality

No representations have been received at the time of writing this report. Should any representations be received, they will included on the Amendment Sheet.

6.14 Environmental Protection

No representations have been received at the time of writing this report. Should any representations be received, they will included on the Amendment Sheet.

6.15 BEAMS Ltd, Conservation

No representations have been received at the time of writing this report. Should any representations be received, they will included on the Amendment Sheet.

PART B: PLANNING APPRAISAL

7.0 Policy Background

7.1 The application will be assessed against the following policies:

7.2 The National Planning Policy Framework (NPPF) 2012 and the Planning Practice Guidance

In its overarching Core Principles the National Planning Policy Framework states that planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units infrastructure and thriving local places that the country needs..... and requires that planning should always seek to secure high quality design and a good standard of amenity for all existing and futures occupiers. The NPPF further states that: good design is a key aspect of sustainable development is indivisible from good planning and should contribute positively to making places better for people

Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.....To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

7.3 Local Development Framework, Core Strategy 2006-2026, Development Plan Document December, Adopted December 2008

- Core Policy 1 (Spatial Strategy)
- Core Policy 3 (Housing Distribution)
- Core Policy 4 (Type of Housing)
- Core Policy 7 (Transport)
- Core Policy 8 (Sustainability and the Environment)
- Core Policy 9 (Natural & Built Environment)
- Core Policy 12 (Community Safety)

7.4 Adopted Local Plan for Slough, Adopted 2004

- EN1 (Standards of Design)
- EN3 (Landscaping Requirements)
- EN5 (Design and Crime Prevention)
- EN13 (Conservation Areas)
- EN16 (Setting of a Listed Building)
- EN19 (Protection of Archaeological Sites)
- EN20 (Archaeology Remains)
- H13 (Backland/Infill Development)
- H14 (Amenity Space)
- T2 (Parking Restraint)
- T8 (Cycling Network and Facilities)
- T9 (Bus Network and Facilities)
- EMP3 (Loss of Employment Land)

7.5 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.

The Council has also formally announced its intention to prepare a Local Plan

Development Plan Document and is seeking comments on the proposed scope and content of the document – this consultation period runs from Friday 4th December 2015 to 15th January 2016.

7.6 Other Relevant Documents/Statements

Slough Borough Council Developer's Guide Parts 1-4
Slough Local Development Framework Proposals Map
Colnbrook Conservation Appraisal 1997
Planning Guidelines for Flat Conversions (Indicative Room Sizes)

7.7 The main planning considerations are considered to be:

- Principle of development
- Design and appearance on the character of the area
- Impact on neighbouring Uses/Occupiers
- Transport, Highways and parking
- Housing Mix & Affordable Housing
- Quality of Housing
- Noise
- Flood Risk & Sustainable Drainage System
- Land Contamination
- Archaeology
- 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.

8.2 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.

- 8.3 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 is 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.
- 8.4 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 not identified as a development site within the Slough Local Development Framework Site Allocation Document DPD.
- 8.5 The site falls outside of the town centre area. Core Policy 4 states that in urban areas outside of the town centre new residential development will predominantly consist of family housing and be at a density related to the character of the surrounding area, the accessibility of the location and the availability of existing and proposed local services facilities and infrastructure. Hence Core Policy 4 does not rule out flats within the urban areas of the town, subject to the sites context location and availability of services.
- 8.6 Whilst the proposed housing scheme is a flatted scheme and not in accordance with planning policy guidance given in the LDF Core Strategy, there are a number of mitigating circumstances. Firstly, the site is essentially a non conforming commercial use within the residential setting of Colnbrook historic village. Secondly, at least part of the proposal would involve the conversion of existing buildings from commercial to residential use. Thirdly, the proposals would bring about positive environmental and social benefits to the wider Conservation Area site. Fourthly, given existing aircraft noise, it is not considered to be a good location for family housing area which would be more reliant on the use of outdoor amenity space. Fifthly, there are likely to be abnormal costs in the form of land contamination mitigation measures.

Having regards to the NPPF and Core Policies 1 and 4 of the LDF Core Strategy, there are no objections to the principle of residential development on this site, nor, having regard to the factors outlined in the paragraph above, to the provision of flats rather than family housing.

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

- 9.1 The National Planning Policy Guidance, in its overarching Core Planning principles state that planning should: *Proactively drive and support sustainable economic development to deliver the homes, business and industrial units infrastructure and thriving local places that the country needs.....always seek to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildingshousing applications should be considered in the context of the presumption in favour of sustainable development.....good design is a key aspect of sustainable development, is indivisible from good planning and should contribute*

positively to making places better for people.

- 9.2 Core Policy 8 states that *all development in the borough shall be sustainable, of a high quality design, improve the quality of the environment and address the impact of climate change. With respect to achieving high quality design all development will be:*
- a) Be of a high quality design that is practical, attractive, safe, accessible and adaptable;*
 - b) Respect its location and surroundings;*
 - c) Provide appropriate public space, amenity space and landscaping as an integral part of the design; and*
 - d) Be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style.*

The design of all development within the existing residential areas should respect the amenities of adjoining occupiers and reflect the street scene and the local distinctiveness of the area.

- 9.3 Policy EN1 of the adopted Local Plan requires that *development proposals reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of: scale, height, massing, bulk, layout, siting, building form and design, architectural style, materials, access points and servicing, visual impact, relationship to nearby properties, relationship to mature trees, and relationship to water courses.*

- 9.4 The general approach to development is considered acceptable, although as this is an outline planning application with matters of appearance, layout and scale reserved for subsequent approval. However, a number of illustrative plans, including outline elevations and sections, have been submitted which show how the scheme could be implemented.

- 9.5 This is a backland site which would not be highly visible from the street or public realm, with a backcloth of three storey modern flats to the east, quasi industrial uses to the north and north west, significant tree cover to the west but with a number limited views into the site for existing neighbouring residential occupiers from the rear of existing properties in Park Street. The maximum height of the proposed development is shown to be three storeys high plus accommodation within the roof space and given the site's context, it is considered that a suitable and sympathetic design can be achieved. The proposed new buildings are located towards the rear of the site, away from the main sensitive parts of the site in heritage terms. However, as the site is located within a Conservation Area, the design will need to compliment and be sympathetic its heritage setting and which should include a suitable pallet of external construction and surface materials, this will be conditioned accordingly.

9.6 Heritage

Paragraph 128 of the national Planning Policy Framework provides guidance when determining planning applications which may have an impact on existing heritage assets, it states that:

“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance...In determining planning applications, local planning authorities should take account of:

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

Policy EN13 ‘Conservation Areas’ from the Council’s Local Plan states that:

“a) development will not be permitted unless it preserves or enhances the character or appearance of the area;

b) new development will be permitted only if it:

(i) harmonises with the character of the area in terms of scale, height, massing, alignment, and appropriate materials;

(ii) retains boundary walls, important trees, and other features, including watercourses, which make a positive contribution to the character or appearance of the conservation area; and

(iii) does not cause the loss of open spaces important to the character or historic value of the area as well as important views within, into and out of the area.

c) an alteration or extension to an unlisted building which requires planning permission will only be permitted if it is sympathetic in design, scale, materials, and colour to the rest of the building.

d) proposals for change of use will be permitted if they respect the character of the building and the overall conservation area and do not lead to any intensification of activities such as increased traffic, car parking, or noise which would be detrimental to the character and appearance of the conservation area;

e) major development proposals outside the conservation area which would affect its setting or views into or out of the area will be permitted only if they are designed to harmonise, in terms of their overall design, scale, form and materials, with adjacent buildings and open spaces in the conservation area; and

f) total or substantial demolition will be permitted only if the structure makes no positive contribution to the character or appearance of the conservation area and detailed proposals for the re-use of the site, including any replacement building or other structure, have been approved.”

Policy EN16 on ‘Setting of a Listed Building’ states:

“Any development which would adversely affect the setting of a listed building will not be permitted.”

Core Policy 9 of the Local Development Core Strategy (2006 – 2026) Development Plan Document states *development will not be permitted unless it:*

- Enhances and protects the historic environment;*
- Respects the character and distinctiveness of existing buildings, townscapes and landscapes and their local designations.....”*

A Character Appraisal of Colnbrook Conservation Area was carried out in 1997 and although now somewhat dated, the principles contained in that study are still very much relevant today. That being said there is nothing specifically contained in that study, such as a need to protect important views, which would preclude development on this site. Nonetheless, any development would need to be assessed in terms of its potential impact on the setting of the listed buildings in Park Street and the wider Conservation area itself.

A Heritage Statement has been submitted with this application and it takes into account heritage sensitive receptors in or near the proposed development site. The report states that:

“The closest listed building to the Proposed Development Area (PDA) is Badminton House, Post Office, adjoining house and Hampton House located immediately to the right of the PDA along Park Street. The designation comprises a row of late 18th Century houses with a central carriageway. Although it lies closest to the PDA, the development is secluded from view as it is situated behind the listed buildings and accessed through the central carriageway. Residential development is already popular down Park Street with properties from different eras. Modern flats (thought to have been constructed in 1990s) are located to the south west of the PDA therefore the development will be in keeping with its surroundings.”

The conclusion of the Heritage Statement states the following:

“The proposed development will result in no changes to the setting of the heritage assets as there is no or limited visibility of the assets. The setting of the Conservation Area and heritage assets in which the development will be situated will be retained as the development is located behind the listed buildings on Park Street and is secluded from view. Furthermore, the setting of the heritage assets and Conservation Area is a residential one which the proposed development will do nothing to alter.”

The Council has consulted with BEAMS Ltd, Conservation Advisors and their comments will be provided on the Amendment Sheet.

9.7 Impact on trees & landscaping

An Arboricultural Impact Report has been submitted in support of this application to address the proposed tree works. The report notes that the design has been developed with careful consideration to minimise the impact on the most important trees. Overall 14 individual trees and 4 tree groups were surveyed.

The report recommends that:

- One tree as identified as Tree G1 is removed to facilitate the development and also recommends that trees of trees poor condition should be removed.
- The reports also highlights that protection measures have been set out to ensure that retained trees are not damaged during the construction phase and to enable their successful development post construction.
- Where conflict with Root Protection Areas occurs, measures have been set out in order to mitigate the potential impact on retained trees, as illustrated

on the Tree protection Plan.

- 9 tree features will be subject to construction within their root protection areas. Special measures are recommended to ensure that these trees are not damaged. These measures are illustrated on the Tree Protection Plan.
- 3 retained trees (T14, T15, T16) require remedial tree work to facilitate the development and to reduce the likelihood of their being subject to excessive pressure after the completion of the development.

The proposed development incorporates outline proposals for enhanced hard and soft landscaping to complement the proposed developments and enhance its setting and that of the public realm.

This planning application is supported by a landscape strategy/masterplan, the detail of which has been conditioned.

Impact on neighbouring Uses/Occupiers

10.1 As stated above, in the National Planning Policy Framework, 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 and include that planning should:

- *Always seek to secure a quality design and a good standard of amenity for all existing and future occupants of land and buildings.*

Core Policy 8 of the Slough Local Development Framework Core Strategy states that all development in the borough shall be sustainable, of a high quality design, improve the quality of the environment and address the impact of climate change. With respect to achieving high quality design all development will:
b) respect its location and surroundings.

Policy EN1 requires that development proposals reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of.....*relationship to nearby properties*.....

10.2 When assessing proposals in detail, consideration will need to be given to any potential impacts on amenity for existing residential occupiers. Any such impacts would need to be significant and result in harm to interests of acknowledged importance such as outlook, privacy, overlooking, loss of sunlight or daylight dominance and overbearing impact. This assessment would need to occur at a subsequent stage in the design process, once more information is available in relation to floor layouts and positions of windows.

The following potential impacts are identified:

- a) Potential overlooking and loss of privacy to the neighbouring occupiers in Albany Court, at its closest point the development is approximately 15m away from the front elevation of these properties. As such, a condition will be attached to ensure that all rooms facing Albany Court at first, second and third floor are non-habitable and windows in this rear elevation are to be of obscure glass and high level opening. With this condition in place there would

be no direct overlooking or loss of privacy. The 15m separation distance is in accordance with the Council's guidelines for habitable to flank elevations, as such issues relating to potential overlooking and loss of privacy can be overcome.

- b) Potentially overbearing and overly dominant outlook for the residential occupiers of the first/second floor residential occupiers located within Albany Court, the height of the proposed development will be 3m higher, however given the separation distance of 15m and the screening by the mature trees, it is not considered that there would not be a detrimental impact to these occupiers. There is a small proportion of the proposed building that will be 3m higher in relation to Albany Court and this relates to the siting of the existing flats at Albany Court. This section in particular is widely interspersed with mature trees, as such the views to the proposed development in summer months will be limited. In the winter months, there would be exposure, however, it would be difficult to refuse this application on the basis that the height exceeds that of the adjoining property in context of the separation distance and proposed landscaping strategy.

It should be noted that the application was originally submitted for 18 no units, this resulted in the proposal being 5m higher than the two storey residential properties located at Albany Court. One of the unit has now been omitted from the scheme and as such this reduces the impact to the two storey properties at Albany Court in terms of being overbearing and overdominance.

Within the proposed development itself, it is not considered that there will be issues of overlooking/loss of privacy and overbearing between the two new buildings and conversion of the existing buildings due to the proposed siting and relationship amongst these buildings. With regard to the conversion of the existing properties, a condition will be attached to ensure that there are no new windows inserted into any of the elevations to protect the amenities of the residents along Park Street. With respect to the occupiers of Park Street, the conversion of the existing commercial unit will screen the proposed new buildings, as such no detrimental impact is considered significantly affect these properties.

11.0 **Transport, Highways and Parking**

11.1 *Vehicle Access*

The existing vehicle access through the listed arch onto Park Street will be retained. This arch and the adjoining buildings are protected and therefore cannot be modified. Concerns were raised in pre-application discussions over sight lines and pedestrian visibility which are very constrained and cannot be improved, therefore it was requested that there be no intensification in its use, which the surveys have demonstrated.

The access is approximately 3.6m wide. As it is through a protected arch this is not considered sufficient for a refuse vehicle therefore, any servicing will take place from Park Street.

It is considered that the current condition of the crossover at the access point could

be improved, and therefore a splayed entry crossover is requested with transition kerbs of 1m on either side of the access. The crossover also needs resurfacing to the current carriageway standard. Any changes to kerbs will need to be made using conservation materials – e.g. granite kerbs etc.

11.2 *Cycle and Pedestrian Access*

Cyclists and pedestrians will also enter the site through the existing archway access.

11.3 *Vehicle Parking*

It is proposed that 24 spaces will be provided on site for both the proposed development of 17 flats and the existing 6 flats which park here. This results in provision of 1 space per dwelling. This is slightly below the parking standards as set out in the Slough Developer's Guide part 3, which states that one bed flats should be supplied with 1.25 spaces per dwelling and 2 bed flats should have 1.75 spaces, this would result in 27 spaces. A slightly reduced provision has been accepted as this has allowed the local highway authority to request that 6 of the spaces be allocated to the existing 6 flats, so the 17 proposed dwellings and the 6 existing flats will have a minimum of 1 space each. This arrangement needs to be secured in the S106 agreement so that this benefit is not lost to the existing flats.

11.4 *Cycle Parking*

24 cycle parking spaces are to be provided, this is one per dwelling, including the existing 6 flats. The cycle parking will be in the form of 1 x 2m cycle lockers as requested in pre-application discussions. The cycle lockers will be in two locations, one near the entrance to the site and one behind the most northern apartment building. It is considered that the parking by the access is well located as it will be covered by natural observation and easy to access however, the cycle parking behind the more northern apartment building is quite tucked away and will not be covered by natural observation. Although there are concerns over this and it would be better if it were located elsewhere, if there are no alternative locations that can be used, as the cycle stores will be secure this location will be accepted.

11.5 *Refuse and Servicing*

Due to the constrained nature of the access, refuse collection will need to take place from Park Street. There will be two locations for the bins to ensure that residents from all the apartment blocks can reach them easily and to ensure they are not located too far from the access point.

As the drag distance for the bins will be more than the maximum drag distance for bin collection operatives, as set out in the Slough Developer's Guide part 4, a management company will need to be employed to move the bins on collection day. The drag distance from the closest bin location to the collection point will be at least 28m while the further bin point is located 43m away. Residents should not need to carry their refuse more than 30m to a bin, again in line with the Slough Developers Guide p4 standards. For the residents in the most northerly apartment block there is a distance of approximately 33m to the nearest bins, due to the constrained nature of the site this distance is accepted. For residents in the other blocks the bins are located very close to the buildings.

As a pre-commencement condition, submission of refuse details will be required.

12.0 **Housing Mix & Affordable Housing**

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

12.2 The site being located within a neighbouring shopping centre is not considered appropriate for the provision of family housing as retail is to be re-provided on the ground floor. It is further considered that an appropriate mix of 1 and 2 bed flats are being provided.

12.3 Core Policy 4 of the Slough Local Development Framework Core Strategy states that for *All sites of 15 or more dwellings (gross) will be required to provide between 30% and 40% of the dwellings as social rented along with other forms of affordable housing.* By reference to the Developers Guide being a development of 17 no. units requires payment of a financial contribution to fund the provision of affordable housing off site. The Housing Development Section have advised a contribution of £130,000 based upon the details in paragraph 6.5.

13.0 **Quality of Housing**

13.1 The National Planning Policy Framework states that local planning authorities should aim *“to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.....”*

As this is an outline application, details have not been submitted with respect to layout and as such this has been conditioned to be assessed via the reserved matters application.

13.2 With respect to the unit sizes as indicated on the indicative lay-outs, these have been assessed against the Council's Flat Conversion Guidelines. The floors space of each of the units fall well within the Council's guidelines: the 2 bedroom units will have 65sqm of floor area and the 1 bedroom units are between 44sqm to 57sqm floor area, as such no objection is raised with respect to the minimum required floor space. In addition, the 2 bedroom house also meets the Council's minimum requirement of floor area (76sqm), whereby the house will provide 80sqm of floor area.

13.3 Given the positioning of the two new buildings, set away from the boundary of the site and the conversion of the existing buildings, it is considered that all the flats will have a reasonable aspect and would receive sufficient light.

13.4 Amenity

The proposed conversion of the commercial unit to the 2 bedroom house, requires external amenity space in accordance with Core Policy 4, a small usable area can be provided to its side subject to relocating the refuse store, this has been requested by the Agent.

With respect to the flats, the proposal would not have any private amenity space. Although not ideal it would not form a basis for refusal of the application as the site is in close walking distance to accessible open amenity areas, such as Albany Park.

14.0 **Noise**

14.1 Core Policy 8 from the Core Strategy, states that development shall not give rise to unacceptable levels of pollution including noise and shall not be located in noisy environments unless the development incorporates appropriate mitigation measures to limit the adverse effects on occupiers and other appropriate receptors.

14.2 A Noise Assessment is submitted with the application and considers noise from a number of potential sources, including aircraft noise and potential local sources, including the industrial uses located within close proximity of the application site, namely Tan House Farm.

14.3 The results of the Noise Assessment has determined that the internal sound levels in the proposed dwelling are likely to be achieved with the appropriate noise mitigation measures i.e. in terms of the right specification of glazing and external building envelopment. Further, based on the results of the noise survey and the assumed building fabric constructions, the suggested internal noise criteria are likely to be met during both daytime and night-time periods. The report notes that a detailed assessment should be undertaken during RIBA's Work Stage in order to ascertain the exact acoustic specification requirements for the various elements of the external building fabric.

14.4 On the basis of this assessment and subject to the incorporation of the recommendations set out in the report, it is considered that noise should not pose a material constraint to the proposed development.

15.0 **Flood Risk & Sustainable Drainage System**

15.1 The Environment Agency's Flood Zone map shows:

- The south of the site lies mainly in Flood Zone 1 'Low Probability' (less than a 1 in 1000 (0.1%) annual probability of river flooding).
- The north of the site is within Flood Zone 2 'Medium Probability' (between a 1 in 100 (1%) and 1 in 1000 (0.1%) annual probability of river flooding).

Core Policy 8 of the Core Strategy states that development will only be permitted where it is safe and it can be demonstrated that there is minimal risk of flooding to the property, and it will not impede the flow of floodwaters, increase the risk of flooding elsewhere or reduce the capacity of a floodplain. It also states that development must manage surface water arising from a site in a sustainable manner which will also reduce the risk of flooding and improve water quality. Sustainable drainage systems should be used to attenuate surface water runoff and to minimise the risk of future sewer flooding where this is practical in terms of ground water levels, geology and land quality.

15.2 Peter Brett Associates has undertaken a Flood Risk Assessment (FRA) in support of the application. As a 'More Vulnerable' use, the development is considered

appropriate within Flood Zone 1 and 2.

A Sequential Test has been undertaken for the site by Peter Brett Associates which demonstrates that there are no alternative sites available for the proposed development in an area of lower flood risk within the Borough of Slough; as such the proposals pass the Sequential Test.

In considering the proposals, the following key aspects have been addressed:-

- Vulnerability to flooding from all sources.
- Protection of occupants and users of the new development.
- No increased flood risk to third parties as a result of the development.

Flood risk will be appropriately mitigated through measures including:

- Proposed ground floor levels set a minimum of 300mm above the modelled 1 in 100 (1%) annual probability plus climate change level, in accordance with EA and SBC requirements;
- Continuous safe access arrangements provided at the modelled 1 in 100 (1%) annual probability plus climate change flood level via raised elements (including natural ground and raised walkways) running through the north of the site on to higher ground at the south of the site. This is supplemented by the provision of a Flood Risk Management Plan for all dwellings.
- A flood compensation scheme demonstrating an increase in floodplain storage capacity over the site up to the modelled 1 in 100 (1%) annual probability plus climate change flood level.
- A surface water drainage strategy, designed to the 1 in 100 (1%) annual probability plus 30% allowance for climate change storm event will be put in place to significantly reduce runoff from the site.

As such, the FRA confirms that the development is safe, it does not increase flood risk and does not detrimentally affect third parties, in accordance with the objectives of the NPPF.

The Environment Agency has been consulted on the proposal and they raise no objection.

15.3 On 6th April 2015, the government introduced a requirement for all major development schemes to comply with the current Sustainable Drainage Regulations. This is now a material consideration in the determination of major planning applications, which necessitates the drainage system being designed in detail at an early stage in the planning process. However, as this is an outline application with all matters reserved for subsequent approval, it has been agreed that a sustainable drainage strategy can be conditioned.

16.0 **Land Contamination**

16.1 Core Policy 8 (Sustainability and the Environment) of the SBC's Core Strategy Document states that development shall not 'cause contamination or deterioration in land, soil or water quality' nor shall development occur on polluted land unless appropriate mitigation measures are employed.

16.2 The National Planning Policy Framework (NPPF) identifies land identifies land contamination as a material consideration in the planning process and notes that decisions by Local Planning Authorities should ensure the site is suitable for its intended use. Where a site is affected by contamination identified to pose unacceptable risks to receptors, the responsibility for securing a safe development rests with the developer and/or landowner.

16.3 The Council's Land Contamination Officer has been consulted on the proposals for the site and has responded as follows:

"Historical mapping indicates there was an engineering works on site from at least 1971, and the 1995 maps indicate the works are still present (just labelled as 'works'). Given the history of various workshops on the site, the potential for contamination is likely to be medium.

The nearest potential sources of off-site contamination are: a former Smithy approximately 85m west, a former Factory workshop approximately 95m to the south-east and a historic landfill approximately 130m to the south-east of the proposed development."

Given the above, conditions have been recommended with respect to land contamination.

17.0 **Archaeology**

17.1 Policy EN19 from the Local Plan which refers to the protection of a Archaeological sites states that:

"There is a presumption in favour of the preservation of the integrity of all scheduled ancient monuments and other archaeological remains of importance and their setting. Development will not be permitted if it fails to preserve the archaeological value and interest of the archaeological remains or their setting."

In addition Policy EN20 relates to archaeological remains and this states:

"In areas with archaeological potential, a prospective developer will be required to carry out an archaeological field evaluation before any decision is taken on a planning application. Where archaeological remains will be affected by a developer, conditions will be imposed to preserve the remains in situ. Where preservation is not required, appropriate arrangements will be required by condition for the excavation and recording of archaeological sites prior to commencement."

17.2 The following comments below are from Berkshire Archaeology:

"An 'Heritage Assessment' report has been submitted in support of this application (Peter Brett Associates, December 2015). This report usefully sets out the archaeological background to the application site and makes an assessment of its archaeological potential based on currently available information.

The report notes (para. 4.6.3) that the application site lies within the medieval and post-medieval settlement of Colnbrook. The report therefore concludes (para. 5.4.2)

that there is a potential for the proposed development to have an impact on the remains of medieval and post-medieval buildings. The report notes (paras 4.6.1 and 4.6.2) that the potential for buried remains of prehistoric and Roman date within the application site is low, although this is based on the little known evidence within the 500m study area of the assessment and perhaps the author overlooks the picture in the wider landscape where large scale archaeological excavations at Terminal 5 Heathrow, Kingsmead Quarry, Horton, and Horton Brook Quarry, Colnbrook (to name just three of several) have shown the remarkable density of prehistoric and Roman remains in the valley of the River Colne and Colne Brook.

The report also states that no designated heritage assets lie within the application site, although, as Berkshire Archaeology understands it, the carriageway entrance into the application site, separating Hampton House from the Post Office, is part of Listed Building Entry 1187059 'Badminton House, Post Office, adjoining house and Hampton House' and therefore falls within the application site. The List Entry describes it as a 'row of late 18th century houses with central carriageway'.

The report notes (Section 4.2) the largely negative archaeological interventions that have previously been undertaken within historic Colnbrook. While the report states (5.2.1) that construction for the proposed development would have an impact on any buried archaeological remains within the site, it also goes on to state (para. 5.4.2) that previous development on the site will have already disturbed and removed any archaeological remains. On this basis the report concludes (para. 6.1.3) that no further 'investigation, evaluation or mitigation is considered necessary'.

While Berkshire Archaeology acknowledges that there is likely to have been some below ground impacts from previous development, no evidence or information is presented to demonstrate unequivocally that the site has nil archaeological potential. This is a proposed development of reasonable scale within historic Colnbrook and close to a braid of the Colne Brook, adjacent to which is evidence for historic industrial activities such as milling and tanning at Tanhouse Farm.

On this basis, Berkshire Archaeology considers the application area retains an archaeological potential but that this can be addressed through archaeological monitoring (a watching brief) during the construction of the new building to the rear of the application site and any associated service runs. This will enable any buried remains to be recorded so as to advance our understanding of the significance of any heritage assets to be lost in a manner proportionate to their importance as set out in Paragraph 141 of the NPPF."

18.0 **S106 Agreement**

18.1 A financial contribution is payable in lieu of the provision of affordable housing and the Council's Transport and Highway Engineers have advised the following additional S106 requirements:

- Residents of the development ineligible to apply for on-street parking permits in any existing or future on-street parking schemes;
- 6 of the 24 spaces to be assigned to the 6 existing flats; and
- Splayed entry crossover with transition kerbs of 1m on either side of the

access using granite kerb materials and resurfacing the carriageway crossover – it may be appropriate for the applicant to agree a small contribution to cover this cost.

The contributions are considered to be reasonable and necessary to mitigate the impacts of the development. This obligation would comply with Regulation 122 of the Community Infrastructure Levy.

The Agent has agreed to the S106 to secure the above.

19.0 **PART C: RECOMMENDATION**

19.1 It is recommended that the application be delegated to the Planning Manager for approval, following consideration of outstanding consultations, finalising of conditions and Section 106 Agreement.

20.0 **PART D: CONDITIONS**

The main heads for proposed conditions are set out below but the final conditions and their wording is to be determined by the Planning Manager following the receipt of outstanding consultations and prior to final determination.

20.1 **DRAFT CONDITIONS**

1. Reserved Matters Application

Details of the following reserved matters for the proposed development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development shall include:

- The layout of development;
- The scale of the development;
- The appearance of the development;
- Detailed landscaping strategy, including details of proposed maintenance or of alternative new planting.

REASON To ensure that the proposed development is satisfactory and to comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

2. Time Limit

Application for approval of all reserved matters referred to in Condition 1 above shall be submitted in writing to the Local Planning Authority no later than the expiration of three years from the date of this permission.

The development hereby permitted must be begun not later than whichever is the later of the following dates and must be carried out in accordance with the reserved matters approved:

- i) the expiration of 5 years from the date of this permission: or

ii) the expiration of two years from the final approval of the reserved matters referred to in Condition 1 above, or in the case of approval of different dates, the final approval of the last such matter to be approved.

REASON To prevent the accumulation of planning permissions, and to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

3. Approved Plans / Maximum Parameters

The development/application relates to the following site:

(a) Site Location Plan, Dated 15/07/2014, Recd On 29/12/2015

The following maximum parameters for development in terms of siting and height are set below and the detailed proposed development shall be in accordance with these:

- The siting of the proposed new two buildings as indicated on the Illustrative Drawing No. rpf909sht8c.dwg shall maintain the separation distance of 15m from the Albany Court elevation to the rear elevation of the proposed development.
- The height which are shown as part three storey plus accommodation within the roof space (12.64m to the ridge) and part two storey plus accommodation within the roof space (9.5m to the ridge) as shown on the Illustrative Drawing No. rpf909sht7c.dwg shall not be exceeded.

REASON To ensure that the site is developed in accordance with the submitted application and to ensure that the proposed development does not prejudice the amenity of the area and to comply with the Policies in the Development Plan.

4. Sample of external materials - Development

Samples of external materials to be used on the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before the scheme is commenced on site and the development shall be carried out in accordance with the details approved.

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004.

5. Sample of external materials - Access

Samples of external materials to be used in the construction of the access road, pathways and communal areas within the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before the scheme is commenced on site and the development shall be carried out in accordance with the details approved.

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Policy EN1 of The Local Adopted Plan for Slough 2004.

6. External Lighting

No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting including details of the lighting units, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme.

REASON In the interests of the amenities of the area and to comply with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, December 2008.

7. Landscaping Design

No development shall commence on site until a detailed landscaping and tree planting scheme, has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the trees and shrubs to be retained and/or removed and the type, density, position and planting heights of new trees and shrubs.

The approved scheme shall be carried out no later than the first planting season following completion of the development. Within a five year period following the implementation of the scheme, if any of the new or retained trees or shrubs should die, are removed or become seriously damaged or diseased, then they shall be replaced in the next planting season with another of the same species and size as agreed in the landscaping tree planting scheme by the Local Planning Authority.

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

8. Boundary Treatment

No development shall commence on site until details of the proposed boundary treatment including position, external appearance, height and materials have been submitted to and approved by the Local Planning Authority. Before the development hereby permitted is occupied, a suitable means of his boundary treatment shall be implemented on site prior to the first occupation of the development and retained at all time on the future.

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

9. Drainage

No development shall commence on site until a scheme for the drainage strategy

and the discharge of surface water from the site, incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON To ensure that the development can be adequately drained and to comply with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, December 2008.

10. Disposal Sewerage

No development shall commence on site until details of the works for the disposal of sewerage have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON To ensure that the proposal is provided with a satisfactory means of drainage and to comply with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, December 2008.

11. Archaeology

No development shall take place until the Applicant or their Agents or Successors in title have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the planning authority.

REASON The site lies in an area of archaeological potential, particularly in relation to medieval and pots-medieval Colnbrook.

12. Working Method Statement

No development shall begin until details of a scheme (Working Method Statement) to control the environmental effects of demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- (i) control of noise
- (ii) control of dust, smell and other effluvia
- (iii) control of surface water run off
- (iv) site security arrangements including hoardings
- (v) proposed method of piling for foundations
- (vi) construction and demolition working hours, hours during the construction and demolition phase, when delivery vehicles taking materials are allowed to enter or leave the site and the size of these vehicles to prevent damage to the existing Archway.

The development shall be carried out in accordance with the approved scheme or as may otherwise be agreed in writing by the Local Planning Authority.

REASON In the interests of the amenities of the area and to comply with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, December 2008.

13. Cycle parking

No development shall be begun until details of the cycle parking provision (including location, housing and cycle stand details) have been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with these details prior to the occupation of the development and shall be retained at all times in the future for this purpose.

Reason: To ensure that there is adequate cycle parking available at the site in accordance with Policy T8 of The Local Plan for Slough 2004, and to meet the objectives of the Slough Integrated Transport Strategy.

14. Bin storage

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

REASON In the interests of visual amenity of the site in accordance with Policy EN1 of The Local Plan for Slough 2004.

15. Windows

Prior to the commencement of development, the windows in the first, second and third floors within the eastern rear main wall elevation of the proposed development, fronting Albany Court shall be obscurely glazed in accordance with a sample which shall be submitted to and approved in writing by the Local Planning Authority. The same windows shall be high level opening at a minimum height of 1.8 metres above the finished internal floor level.

REASON To maintain the privacy of amenity of future residential occupiers and those located within Albany Court and to comply with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, December 2008.

16. Noise (FINAL WORDING TCB)

Prior to first occupation of the dwellings as hereby approved the insulation scheme of the proposed dwellings shall ensure that the external noise (from aircraft noise) shall not cause an internal noise level greater than 30dBLAeq(T) in bedrooms (with the windows closed) nor 45dBLAeq(T) in living rooms (with the windows closed) between the hours of 23:00 and 07:00. Any individual noise event from road and aircraft noise shall not result in internal noise levels exceeding 45dB(A)L_{Amax}. Any works which form part of the scheme shall be carried out in accordance with the Sound Impact Assessment prepared by Peter Brett Associates LLP, Dated

December 2015 and completed in accordance with the approved scheme and to the full satisfaction of the Local Planning Authority.

REASON To ensure satisfactory living conditions for the future occupiers of the development and protection from nuisance caused by excessive noise in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

17. Tree Protection

No development shall commence until the tree protection measures detailed in the submitted Arboricultural Impact Assessment (Report Reference Number: 151222-1.0-FYC-AIA-MW), including all the Appendices prepared by Treework Environmental Practice, Dated 22/12/2015 and have been implemented, in accordance with the recommendations set out in *BS 5837:2012 – Trees in relation to design, demolition and construction. Recommendations*. These measures shall be implemented prior to works beginning on site, and shall be provided and maintained during the period of construction works.

REASON To ensure the satisfactory protection of trees to be retained in the interest of visual amenity and to meet the objectives of Policy EN3 of The Local Plan for Slough 2004, Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, and the National Planning Policy Framework.

18. Windows

There shall be the insertion of no new windows or changes to the existing windows to the two covered properties without the prior consent of the Local Planning Authority in writing.

REASON To prevent overlooking or loss of privacy for existing and future residential occupiers.

19. Householder - Removal of Permitted Development Rights

Notwithstanding the terms and provisions of the Town & Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that Order), Schedule 2, Part 1, Classes A, B, C, D & E, no extension to the house hereby permitted or buildings or enclosures shall be erected constructed or placed on the site without the express permission of the Local Planning Authority

REASON To protect the character of the area and the visual amenity of the neighbouring occupiers within the Conservation Area.

20. Maximum Number of Units

The maximum number of residential units provided on site shall be restricted to 17 only.

REASON To ensure satisfactory living conditions for the future occupiers of the development and ensuring that the use benefits from satisfactory car parking provision in accordance with Core Policies 7 and 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

21. Car Parking Provision

Prior to first occupation of the proposed development, the 24 no. car parking spaces shall be provided and made available for use in connection with the proposed residential units and maintained for the parking of cars thereafter. The car parking spaces shall not be used for any separate business or commercial use.

REASON In the interests of ensuring that the use benefits from satisfactory car parking provision in the interests of the amenities of the area in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

22. Access

No vehicle access gates, roller shutters doors or other vehicle entry barriers or control systems shall be installed without first obtaining permission in writing from the Local Planning Authority.

REASON In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

23. Flood Mitigation (EA)

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (PBA ref. 31822/001, dated December 2015) and the following mitigation measures detailed within the FRA:

1. Provision of measures for compensatory flood storage, including voids to the new apartment building, designed in accordance with the details contained in the FRA.
2. Finished floor levels set no lower than 20.9m AOD.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

REASON The above mitigation measures are required in order to ensure that the development is safe, without displacing flood risk elsewhere, this in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008, and as required by paragraph 100 of the National Planning Policy Framework.

24. Phase 1 Desk Study (LPA)

Development works shall not commence until a Phase 1 Desk Study has been submitted to and approved in writing by the Local Planning Authority. The Phase 1 Desk Study shall be carried out by a competent person in accordance with Government, Environment Agency and Department for Environment, Food and Rural Affairs (DEFRA) guidance and approved Codes of practices, including but not limited to, the Environment Agency model procedure for the Management of Land Contamination CLR11 and Contaminated Land Exposure Assessment (CLEA) framework, and CIRIA Contaminated Land Risk Assessment Guide to Good Practice C552. The Phase 1 Desk Study shall incorporate a desk study (including a site walkover) to identify all potential sources of contamination at the site, potential receptors and potential pollutant linkages (PPLs) to inform the site preliminary Conceptual Site Model (CSM).

REASON To ensure that the site is adequately risk assessed for the proposed development and in accordance with Policy 8 of the Core Strategy 2008.

25. Phase 2 Intrusive Investigation Method Statement (LPA)

Should the findings of the Phase 1 Desk Study approved pursuant to the Phase 1 Desk Study condition identify the potential for contamination, 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.

26. Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy (LPA)

Development works shall not commence until a quantitative risk assessment has been prepared for the site, based on the findings of the intrusive investigation. The risk assessment shall be prepared in accordance with the Contaminated Land report Model Procedure (CLR11) and Contaminated Land Exposure Assessment (CLEA) framework, and other relevant current guidance. This must first be submitted to and approved in writing by the Local Planning Authority and shall as a minimum, contain, but not limited to, details of any additional site investigation undertaken with a full review and update of the preliminary Conceptual Site Model (CSM) (prepared as part of the Phase 1 Desk Study), details of the assessment criteria selected for the risk assessment, their derivation and justification for use in the assessment, the findings of the assessment and recommendations for further works. Should the risk assessment identify the need for remediation, then details of the proposed remediation strategy shall be submitted in writing to and approved by

the Local Planning Authority. The Site Specific Remediation Strategy (SSRS) shall include, as a minimum, but not limited to, details of 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 potential risks from land contamination are adequately assessed and 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.

27. Remediation Validation (LPA)

No development within or adjacent to any area(s) subject to remediation works carried out pursuant to the Phase 3 Quantitative Risk Assessment and 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.

Informatives:

1. The development/application was assessed having regard to the following submitted illustrative plans:
 - a) Drawing No. rpf909sht1c.dwg, Dated 19/12/2015, Recd On 29/12/2015
 - b) Drawing No. rpf909sht2c.dwg, Dated 19/12/2015, Recd On 29/12/2015
 - c) Drawing No. rpf909sht3c.dwg, Dated 19/12/2015, Recd On 29/12/2015
 - d) Drawing No. rpf909sht4c.dwg, Dated 19/12/2015, Recd On 29/12/2015
 - e) Drawing No. rpf909sht5c.dwg, Dated 19/12/2015, Recd On 29/12/2015
 - f) Drawing No. rpf909sht6c.dwg, Dated 19/12/2015, Recd On 29/12/2015
 - g) Drawing No. rpf909sht7c.dwg, Dated 19/12/2015, Recd On 29/12/2015
 - h) Drawing No. rpf909sht8c.dwg, Dated 27/01/2016, Recd On 28/01/2016

2. The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to 0350SN&N@slough.gov.uk for street naming

and/or numbering of the unit/s.

3. No water meters will be permitted within the public footway. The applicant will need to provide way leave to Thames Water Plc for installation of water meters within the site.
4. The development must be so designed and constructed to ensure that surface water from the development does not drain onto the highway or into the highway drainage system.
5. The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the Environment Agency will be necessary.
6. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority.
7. The applicant must apply to the Highway Authority for the implementation of the works in the existing highway. The council at the expense of the applicant will carry out the required works.
8. The applicant is advised that under the terms of the Water Resources Act 1991, and the Thames Land Drainage Byelaws 1981, the prior consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the River Colne and Country Ditch, both designated as 'main rivers'.
9. The applicant is reminded that an Agreement under Section 106 of the Town and Country Planning Act 1990 has been entered into with regards to the application hereby approved.
10. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.