

Registration Date: 09-Dec-2015
Officer: Mr. Albertini
Applic. No: P/06350/001
Ward: Upton
Applic type: Major
13 week date:

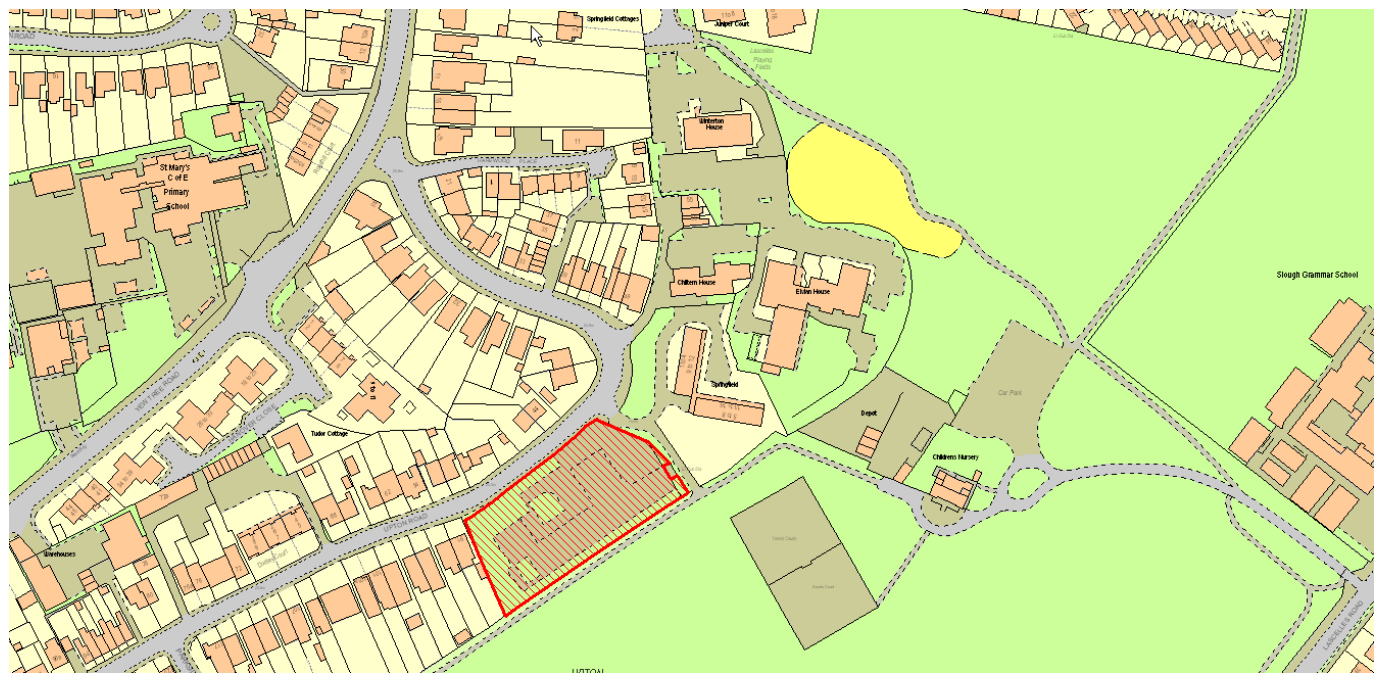
Applicant: Austen Wiles, Slough Urban Renewal

Agent: HAP Chartered Architects Ltd The Old Registry, 20, Amersham Hill, High Wycombe, Buckinghamshire, HP13 6NZ

Location: Gurney House, Upton Road, Slough, SL1 2AE

Proposal: Erection of 6no. 5 bedroom semi-detached houses with garages and garden rooms, 2no. 3 bedroom semi-detached houses with garden rooms and 2no. 3 bedroom semi detached houses. Associated new hard and soft landscape works and modifications to existing boundary walls. Formation of 7no. new vehicular cross-overs to the footpath along Upton Road.

Recommendation: Delegate to Planning Manager for approval



1.0 **SUMMARY OF RECOMMENDATION**

Delegate to Planning Manager for Section 106.

PART A: BACKGROUND

2.0 **Proposal**

- 2.1 The development is for 10 three storey houses comprising 6 five bedroom and 4 three bedroom homes. All are semi-detached and 8 of the plots contain substantial single storey garden rooms at the end of the gardens and against the adjacent Park boundary wall. 6 homes have attached garages.
- 2.2 The 5 buildings have hipped roofs with gable ends facing the street and park to the rear for each home. The 4 plots at the north end are lower with the second floor rooms in the roof space. The ground floor of each homes extends out beyond the upper storeys
- 2.3 The separate garden rooms have mono pitched roofs with a large opening on the garden elevation and a high level window facing the Park. The larger rooms will be slightly raised (600 mm) compared to the adjacent Park ground level. The garden rooms are either 44 sqm in size including a WC or for 2 homes 20 sqm with no WC. Indicative room layouts show living accommodation or, for the larger rooms sleeping and living accommodation as a second option.
- 2.4 The 6 larger homes will have 4 parking spaces each with one in a garage all served by individual crossovers on Upton Road and most spaces are located between the buildings. One of the smaller homes has 3 spaces the remaining 3 homes have communal access serving 2 spaces each with a pair of visitor spaces. This access makes use of the existing entry to the former Gurney House.
- 2.5 The homes follow the existing building line of the street but are set back as they come up against Park entrance along the north side of the site. The frontage contains space for new trees and one large street tree is retained. The existing old wall will be removed. At the rear garden lengths vary from 20 to 22 metres inclusive of garden rooms which do not stretch the full width of the plot. Other gardens are between 10 and 14 metres up to either the rear wall or the smaller garden room. Several smaller or poor quality trees will be lost. 4 of the boundary trees are shown as retained. The south side wall be retained. The rear Park wall may be rebuilt; the boundary with the Park entrance will be realigned outwards and reformed.
- 2.6 Materials will be red brick at ground floor level, above will be a combination of pale render and treated vertical timber boarding and slate grey tiles and sedum roofs on some ground floor flat roofs and garden rooms. The garden rooms will be clad with timber and are likely to have photovoltaic panels on the roof.
- 2.7 The application has been submitted by Slough Regeneration Partnership known as Slough Urban Renewal) a joint venture between the Council and Morgan Sindall

Investments. The homes are intended for private sale.

2.8 The applicant has submitted a tree report, ecological assessment and design and access statement.

3.0 **Application Site**

3.1 The 0.37 hectare site is vacant and is within walking distance of the town centre. Gurney House was a Council elderly persons care home until cleared in 2013. Upton Road is a quiet residential street and cul de sac with low density mainly detached or semi detached homes set back from the road with plenty of space for trees and shrubs in the gardens front and back. Most buildings in the street are two storey and date from before the war.

3.2 To the east is Lascelles Park. To the south west is the flank of 2 and half storey semi detached home with some flank windows. Opposite to the north west are semi detached or detached homes. To the north east is a path access from Upton Rd to Lascelles Park and beyond Springfield, a Council owned elderly persons home. The site sits slightly above Upton Road and the Park at the south end.

3.3 There are several trees on or overhanging the site. Most are near the boundaries. They range from small fruit trees to 12 metre high Ash. The site includes part of the landscaped strip next to the Park entrance but not the electric sub station.

4.0 **Site History**

4.1 10 three storey homes approved Jan 2015 Ref. S/00698/001.

5.0 **Neighbour Notification**

5.1 Upton Road 4- - 54 ev; 39-49, 91-95 odd
Springfield 1-16 inclusive.

Notice in local paper.

5.2 One letter received from neighbour to south. Concerned about secondary bedroom window on upper floor that overlooks an existing room. Entrance to plot one extremely close to home owners boundary wall and is tight fit between it and existing tree on frontage.

Response : The window can be obscure glazed with either a high level or no opening. The driveway width is acceptable on plan. To be checked on site.

6.0 **Consultation**

6.1 **Traffic /Highways**

No objection in principle. The proposal will result in a small increase in vehicle trips. Request vehicle crossovers adjusted to tie in with Highway Section's policy; widen narrow footway along frontage to 2 metres width (the existing brick wall is to be removed); remove granite sets on crossovers (inconvenience mobility impaired

pedestrians). Request 106 to restrict residents from obtaining parking permits in future and obligation to sign Sec 278 Highways Agreement for works in highway and dedication of widened footway.

6.2 Environmental Protection

Request condition to require developer to carry out a 'watching brief' while excavation works take place. The site has a low risk of being contaminated.

6.3 Parks Section

In return for the development site encroaching upon the Park access land it is requested that enhancements are made to the Park access to make it more attractive and safer. In particular it is quite dark with poor line of sight from road to Park with hiding places due to the wall arrangement. So creating an even boundary line, cutting back some vegetation, removal of nib of wall next to path, surface improvements and better lighting are requested.

Some concern about potential complaints from anyone living in a garden room about normal Park activity which can at times be noisy.

6.4 Thames Water

No objection. Request condition for a drainage strategy before commencement of development.

PART B: PLANNING APPRAISAL

7.0 Policy Background

7.1 The site is not an allocated site in the Local Plan but the principle of residential development of the site, in particular family homes, is acceptable and complies with Core Policy 3 and 4 re type and distribution of housing. The density of the site is below the Core Strategy policy 4 minimum of 37 dwellings per hectare. However the Strategy does allow for exceptions, which for this case are applicable namely it is a small site and the character of the area is low density. In addition the inclusion of some large family homes supports the housing type policy of having a range of house sizes in the town to serve its population.

8.0 Transport and Access

8.1 The development is not expected to generate much more traffic than the former use of the site. The multiple access points are acceptable in principle but spacing should be adjusted to tie in with the Council's crossover policy – amended plan expected. Pedestrian visibility at entry points is needed but can be easily achieved and controlled by condition. Use of the existing access, which is served by a junction on Upton Road shared with Springfield, is acceptable.

8.2 The level of car parking is acceptable. Cycle parking can easily be provided in rear gardens or garages. Subject to the amendments, conditions and planning obligation (re parking permit restriction and footway widening) the proposal complies with Core Policy 7 regarding transport and highway matters. The existing footway is generally less than the standard 2m width because of the old boundary wall. Pedestrian

access will be improved with a standard width footway hence the request for footway widening.

8.0 Layout and Design.

- 8.1 The scheme layout ties in with the character of the area being set back from the road, semi detached buildings, space left for planting and a reasonable size of garden. In addition the buildings will be a similar height to those adjacent. The previously approved scheme had some higher buildings. The setting back of homes at the north end is supported as it helps open up the entrance to the Park off Upton Road.
- 8.2 Architectural detailing is simple. It does not reflect many features from other buildings in the street, which are mostly pre war, but as there is no consistent architectural style in the street there is no significant harm in having some further variety. The timber boarding on the garden rooms provides a softer appearance than brick which is appropriate for the Park setting.
- 8.3 The garden rooms are an unusual feature. In many circumstances this type of development is not acceptable because of poor outlook from windows, unacceptably short gardens remain limits, disturbance of the peace and quiet of adjacent rear gardens, adds to street parking pressure. However this development has adequate garden length and parking. Furthermore there are no homes/gardens to the rear and the garden homes will have a reasonable outlook because of the Park adjacent.
- 8.4 As the garden rooms provide potential bedroom accommodation the homes, inclusive of garden rooms, could accommodate 6 bedrooms or, for the smaller homes, 4 bedrooms providing large family homes near the town centre. This is supported by the Council's Core Strategy, policy 4, which seeks a range of family homes. In addition the separation of the garden rooms from the main house provides flexibility for families to accommodate extended family without all members living in the same building. For example a garden room could become a 'granny annex'. There are few opportunities to gain large family homes near the centre. A condition will prevent the garden rooms being used as separate homes not linked to the associated main dwelling building.
- 8.5 It must be stressed that the specific circumstances of the application are important considerations regarding the garden rooms. Any approval should not be taken as a precedent for bedroom accommodation in buildings in rear gardens elsewhere. The precise wording of the condition restricting the garden rooms will be reviewed by Officers in terms of enforceability to ensure the Council can prevent garden rooms being rented out as independent homes. This restriction may go in the Section 106 Agreement. Whether or not there is scope to reduce the size of the larger garden rooms will be discussed with the applicant regarding minimising the risk of being attractive as potential rental properties.
- 8.6 The loss of some trees is acceptable because of their limited value and the proposal for replacement tree planting. The view of the new homes from the Park, to the rear, can be softened by existing trees near the edge of the Park.

- 8.7 The loss of the old wall along the frontage will change the appearance of this part of the street but, despite its link to the older buildings in the street, there is no strong reason to retain it. Its loss benefits pedestrian access as mentioned above at para 8.2. The north east wall will go as part of the site expansion onto the park access. Although this narrows the access land slightly it is acceptable if the Park entrance is enhanced in terms of appearance and safety as described in the comments of the Parks Section above. Details of enhancement will be covered by condition or planning obligation.
- 8.8 In relation to the adjoining home 91 Upton Road the nearest new home will sit back beyond the rear building line but at ground floor level only. This will not affect the amenity of the existing residents. As the adjacent house has a habitable room window on its flank the new development should respect this to limit overlooking. A condition requiring obscure glazing and limited opening for one first floor secondary window will address this.
- 8.9 Separation distances between dwellings are acceptable. 6.5 metres to the side and 23 metres opposite are the minimum measurements on the layout.
- 8.10 The ecology survey has identified an ivy clad tree and recommends it be surveyed again for possible bat roosts before development commences. It also says the potential for bats to use the site is low.
- 8.11 Overall the proposal complies with Core Strategy policy 9 and Local Plan policy EN1 and EN3 regarding design and landscaping. Similarly Core Policy 12 Community Safety
- 8.12 To help limit disturbance to nearby residents during construction conditions are proposed to cover construction site management and working hours.
- 9.0 Section 106 planning obligation
- 9.1 The proposal is satisfactory subject to minor revisions that are expected prior to the Committee meeting and completion of a satisfactory planning obligation to cover the following :
- i. Construction and dedication as highway maintainable at the public expense, free of charge, the widening of the Upton Road footway fronting the site to a minimum width of 2m.
 - ii. No residents of the development eligible for on-street parking permits in any existing or future on-street parking zones.
 - iii. Park access enhancement to be carried out before occupation of any home. To include the access to Lascelles Park adjacent to the north east site boundary of the site on Council land - removal of nib of wall, new planting, tree branch removal, path surface enhancements and lighting.
- 9.2 As the site is still owned by the Council it cannot sign a Section 106 with itself. Equivalent obligations will instead be contained in a document signed by a Council

Director and the Council will require any purchaser of the site to complete a full Section 106 planning obligation containing the same obligations.

PART C: RECOMMENDATION

10.0 **Recommendation**

Delegate a decision to the Planning Manager for approval subject to receipt of satisfactory amended drawings and completion of a satisfactory Section 106 planning obligation or equivalent thereof and amendment of conditions in relation to outstanding matters.

11.0 **PART D: LIST OF CONDITIONS**

1. The development hereby permitted shall be commenced within three years from the date of this permission.

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 91 of the Town and Country Planning Act 1990.

2. Approved plans

The development hereby approved shall be implemented only in accordance with the following plans and drawings hereby approved by the Local Planning Authority:

1981 PL 02B Site Plan
1981 PL 03B Plots 1-4 GF FF
1981 PL 04B Plots 1-4 SF
1981 PL 05A Plots 1-4 ELEVATIONS
1981 PL 06B Plots 5-6 GF FF
1981 PL 07B Plots 5-6 SF
1981 PL 08A Plots 5-6 ELEVATIONS
1981 PL 09B Plots 7-8 Floor Plans
1981 PL 10A Plots 7-8 ELEVATIONS
1981 PL 11B Plots 9, 10 Floor Plans
1981 PL 12 A Plots 9, 10 ELEVATIONS
1981 PL 13 A Plots 1-6 garden rooms
1981 PL 14 A Plots 1-6 garden rooms elevations
1981 PL 15 A Plots 7,8 garden rooms
1981 PL 16 Street Scene
1981 PL01A Site Location Plan

SUBJECT TO REVISION RE OUTSTANDING MATTERS

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.

3. Samples of materials

Details of external materials and samples of bricks, tiles/slates, cladding to be used on the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before the development commences 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.

4. Landscaping, boundary treatment

No development shall commence on site until a detailed landscaping, tree planting and boundary treatment 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 and details of boundary treatment.

No dwelling shall be occupied until the boundary treatment has been carried out as approved. The approved soft landscaping 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.

5. Tree Protection

No construction work nor hardstanding removal works shall commence until a detailed arboricultural method statement has been submitted to and been approved in writing by the Local Planning Authority. The statement will be in accordance with British Standard 5837:2005 Trees in Relation to Construction and shall contain details of proposed (1) pruning or removal of trees, (2) specification and location of tree and ground protection and (3) details of construction design and processes for hard surfaces within root protection areas. The statement should also contain details of arboricultural supervision and frequency of inspection along with a reporting process to the Tree Officer. All works are to be carried out in strict accordance with the approved details.

REASON To preserve and enhance the visual amenities of the locality in accordance with policy EN3 of the Local Plan 2004 and policy 9 of the Core Strategy 2006-2026.

6. Obscured Glazing

Plot 1 house (at the east end of the site) shall not be occupied until the first floor flank windows have been glazed with obscure glazing and be either non-opening or provide for opening in the top 20% of the glazed area. The obscure glazing and any provision for opening shall thereafter be retained and maintained as approved.

REASON In the interest of privacy of the residents of the adjacent home.

7. New access

No development shall commence until details of the new means of access are submitted to and approved in writing by the Local Planning Authority and the access shall be formed, laid out and constructed in accordance with the details approved prior to occupation of the development. The details shall include widening of the Upton Road footway adjacent to the site to 2 metres width and resurfacing of the footway adjacent to the site.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions prejudicial of general safety along the neighbouring highway in accordance with Core Strategy Policy 7 Transport of the Core Strategy 2006-2026 adopted 2008.

8. Alterations to existing access

No development shall commence until details of the alterations to the existing points of access between the application site and the highway have been submitted to and approved in writing by the Local Planning Authority and the access alterations shall be implemented in accordance with the details approved prior to occupation of the development.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety along the neighbouring highway in accordance with Core Strategy Policy 7 Transport 2006-2026 adopted 2008.

9. Surface Water Drainage

Development shall not commence until details of surface water drainage (including information on soakage of soil and allowance for climate change) have been submitted to and approved in writing by the local planning authority. The details shall include provision for water to be drained on site and not to a main sewer unless attenuated. The details shall include provision for roof water down pipes to be linked to water butts (or similar storage) with a capacity of at least 200 litres such that each house has one butt. No house shall be occupied until the approved details have been implemented.

REASON In the interest of flood prevention and sustainable development (reduction of water consumption) in accordance with Core Policy 8 of the Core Strategy 2006-2026.

10. Thames Water Foul Drainage

Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

REASON - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

11. Soil Contamination

The developer shall carry out a watching brief during site work and shall draw to the attention of the Local Planning Authority to the presence of any unsuspected contamination (to soil or/and water, determined by either visual or olfactory indicators) encountered during the development.

In the event of contamination to land and/or water being encountered, no development or part thereof shall continue until a programme of investigation and/or remedial work to include details of the remedial scheme and methods of monitoring, and validation of such work undertaken has been submitted to and approved in writing by the Local Planning Authority.

None of the development shall be commissioned and/or occupied until the approved remedial works, monitoring and validation of the works have been carried out and a full validation report has been submitted to and approved in writing by the Local Planning Authority.

In the event that no significant contamination is encountered, the developer shall provide a written statement to the Local Planning Authority confirming that this was the case, and only after written approval by the Local Planning Authority shall the development be commissioned and/or occupied.

Reason: To ensure that any ground and water contamination is identified and adequately assessed, and that remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use.

12. Internal access roads

Prior to first occupation of the development the vehicular parking and turning provision shall be provided in accordance with approved plans.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety on the local highway network in accordance with Core Strategy Policy 7 Transport 2006-2026 adopted 2008.

13. Pedestrian visibility

No dwelling shall be occupied until pedestrian visibility splays of 2.4 x 2.4 metres (measured from the back of footway) have been provided on both sides of the access points and the area contained within the splays shall be kept free of any obstruction exceeding 600 mm in height above the nearside channel level of the carriageway.

REASON : To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

14. Construction Management Scheme

No development shall take place until a Construction Management Plan has been submitted and approved in writing by the local planning authority, which shall include details of the provision to be made to accommodate all site operatives', visitors' and construction vehicles loading, off-loading, parking and turning within the site during the construction period. These details shall thereafter be implemented as approved before the development begins and be maintained throughout the duration of the construction works period.

REASON In the interest of minimising danger and inconvenience to highway users.

15. Hours of construction

During the site clearance and construction phase of the development hereby permitted, no work shall be carried out on the site outside the hours of 08.00 hours to 18.00 hours Mondays - Fridays, 08.00 hours - 13.00 hours on Saturdays and at no time on Sundays and Bank/Public Holidays.

REASON To protect the amenity of residents within the vicinity of the site in accordance with the objectives of Policy EN26 of The Adopted Local Plan for Slough 2004.

16. Garage use for parking only

The garage(s) hereby permitted shall only be used to accommodate cars which are used ancillary to the enjoyment of the dwelling-house on the site and shall not be used for any trade or business purposes; nor adapted as habitable room(s) without the prior permission in writing from the Local Planning Authority.

REASON To ensure that adequate on-site parking provision is available to serve the development and to protect the amenities and visual amenities of the area in accordance with Policy 7 of the adopted Core Strategy 2006-2026.

17. Removal of Permitted Development rights - outbuildings

Notwithstanding the terms and provisions of the Town and Country Planning

General Permitted Development England Order 2015 (or any order amending or revoking and re-enacting that Order), Schedule 2, Part 1, Class E no buildings greater than 25 cubic metres shall be erected, constructed or placed on the site without the express permission of the Local Planning Authority.

REASON In the interest of residential amenity in particular retaining garden space.

18. Removal of Permitted Development rights - extensions

Notwithstanding the terms and provisions of the Town and Country Planning General Permitted Development England Order 2015 (or any order amending or revoking and re-enacting that Order), Schedule 2, Part 1, Class A no building shall be enlarged more than 5 cubic metres without the express permission of the Local Planning Authority.

REASON In the interest of residential amenity in particular the protection of garden space.

19. No independent use of garden rooms.

No garden room (building approved at the far end of the rear garden of plots 1 to 8 on the approved layout) shall be used as independent living accommodation that is not directly associated with the main dwelling building on the plot that contains the garden room.

REASON In the interest of the living conditions and the residential amenity of residents on each plot; and to limit any increase in demand for car parking in the interest of the free flow of traffic and conditions of general safety on the nearby highway.

INFORMATIVE(S):

1. Highway Matters. Multiple water meters will not be permitted in the public highway. Surface water from the site must not drain onto the public highway. The applicant will need to enter into a Section 278 Agreement or minor works agreement to carry out works for the new access into the site within the public highway and any associated changes to lighting, drainage, surfacing and signage etc. Notwithstanding the position of the red line application site boundary the overlap of the site with adopted public highway on the frontage (south west corner) any work proposed on this area or the tree needs prior permission from the Highway Authority. For postal numbering/naming of new homes/occupiers please apply to the Council's Local Land Charges Section on 01753 875039 or email 0350SN&N@slough.gov.uk