

SUPPLEMENTARY REPORT TO PLANNING COMMITTEE

P/03678/019 - 76-78 Stoke Road, Slough, SL2 5AP

Registration Date:	21-Dec-2015	Applic. No:	P/03678/019
Officer:	Mr Smyth	Ward:	Central
		Applic type:	Major
		13 week date:	21st March 2016
Applicant:	Renton Development Ltd		
Agent:	Ching Liu, GA&A Design Mountbatten House, Fairacres, Dedworth Road, Windsor, SL4 4LE		
Location:	76-78, Stoke Road, Slough, SL2 5AP		
Proposal:	Demolition of existing buildings and construction of a part 5 storey building with undercroft car parking, ground floor retail unit (278sqm), 24 flats (12no. x 1 bed and 12no. x 2 bed) and cycle parking.		

Recommendation: Delegate to Planning Manager for Approval



Background

1. This application was delegated to the Planning Manager to resolve outstanding highways and transport matters. An amended red line plan has been submitted in order to overcome complex land ownership issues. There are three parcels of land which are outside the ownership of the applicant.
2. The amended red line for the rear service road now excludes land owned by different parties. This will have implications on the delivery of the entire rear service road. The applicant has provided a response below regarding the matter:
 - *“Brexit has meant that funding is now being tightened by lending institutions and the applicant has had to extend their loan option twice but the lender has indicated that a third extension will not be granted. Therefore an early decision on the matter is needed.*
 - *The red line has to alter to now show the access to the site and as the site at 94-102 Stoke Road is owned by the applicant. It is proposed to have the access to the site for the current application for 76-78 Stoke Road via the permitted development access at 94-102 Stoke Road.*
 - *The previous proposal allowed for an access via the rear at 76-78 Stoke Road, but this was tight and provided a borderline satisfactory proposal for access. The new proposal for access via 94-102 Stoke roads access will mean that the access is off the proposed adopted highway and will provide a much better solution to the matter. As the applicant is the owner of both sites, there would be no need for any convoluted legal clauses in any contracts or S106 agreements.”*
3. The applicant has advised that should the amended red line not be accepted, the scheme will come to a halt. It should be noted that from the Highways and Transport Department perspective, as the third party land has now been excluded, it would not be possible to guarantee that the rear service road would be delivered and adopted. This will be dependant on other developments coming forward, however rear servicing will be provided for the ground floor retail units and flats for the application site.

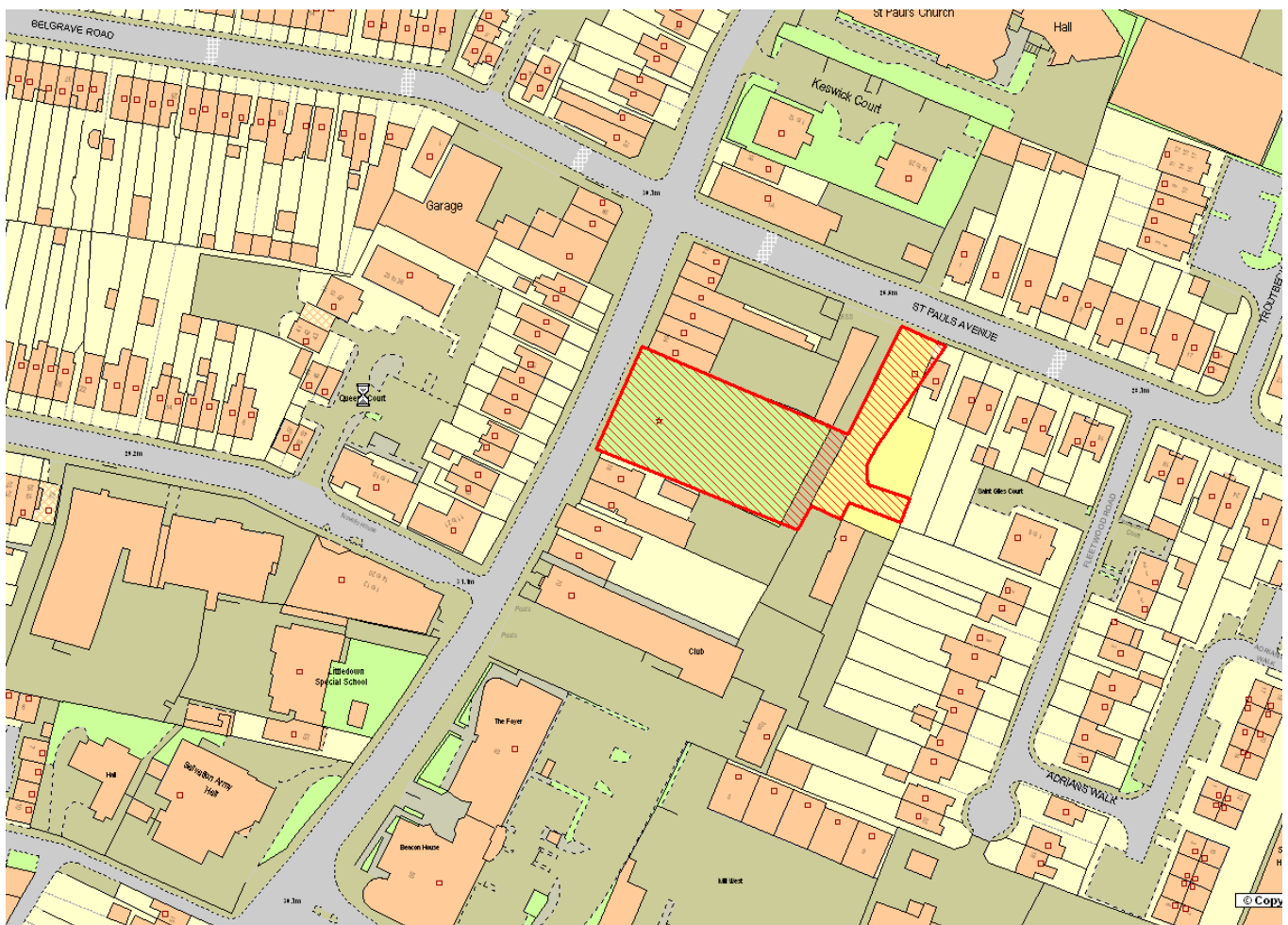
RECOMMENDATION

4. Delegate the planning application to the Planning Manager for approval, subject to resolution of outstanding transport/highway issues, sustainable drainage matters, development viability issues, minor design changes, finalising conditions, completion of a S106 Agreement and final determination.

Appendix A – Committee Report, 31st March 2016

Registration Date:	21-Dec-2015	Applic. No:	P/03678/019
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1.0 **SUMMARY OF RECOMMENDATION**

- 1.1 Delegate the planning application to the Planning Manager for approval, subject to resolution of outstanding transport/highway issues, sustainable drainage matters, development viability issues, minor design changes, finalising conditions, completion of a S106 Agreement and final determination.
- 1.2 Having considered the relevant Policies below, the development is considered not to have an adverse affect on the sustainability and the environment for the reasons set out.

PART A: BACKGROUND

2.0 **Proposal**

- 2.1 This is a full detailed planning application for “Demolition of existing buildings and construction of a part 5 storey building with undercroft car parking, ground floor retail unit (278sqm), 24 flats (12no. x 1 bed and 12no. x 2 bed) and cycle parking”.
- 2.2 The application is accompanied by floor plans, elevations and sections. In addition a number of supporting documents are submitted including:
- a desk based archaeological study
 - a geotechnical report
 - a noise impact assessment report
 - a transport assessment
- 2.3 The scheme has been modelled on the basis of the approved scheme of development on the neighbouring site at 94 – 102 Stoke Road which was granted planning permission on 2nd June 2014, following protracted negotiations with minor amendments to the scheme subsequently approved on 21st January 2015. A further 2 no. planning applications for minor amendments to that scheme have been submitted and approved in principle subject to completion of Section 106 Agreements. Although the proposal is submitted as a free standing scheme and is being assessed on that basis, in terms of its siting scale massing bulk layout form design and appearance, it is designed to read as an integral part of the approved scheme at 94 – 102 Stoke Road or as extension to it.
- 2.4 The building is 5 storeys high, with the top floor being set back. Given the substantial level difference between Stoke Road and the rear of the site, the fourth floor on the Stoke Road frontage is set back from the Stoke Road frontage and substantially set back from the rear of the site, to reduce its impact. This reflects the pattern of

development as was approved on the neighbouring site to the north. Also as per that scheme, vehicular access to the site is at lower ground floor level, via a proposed rear service road providing car parking undercroft of the building for 17 no. cars (including 3 no. disabled spaces) together with servicing and bin store and cycle storage provision. The car park is designed to operate in isolation or in conjunction with the proposed neighbouring development scheme to the north and will be utilising a one way internal circulation.

- 2.5 At upper ground floor level, a retail unit of 278 sq m is proposed on the Stoke Road frontage and there are two X 1 bed flats to the rear of the building. On each of the first and second floors there are 4 no. X 1 bed and 2 no. X 2 bed flats and on the third floor there are 5 no. X 1 bed and 1 no. X 2 bed flats. At fourth level there are 4 no. X 1 bed flats.

3 Application Site

- 3.1 The application site is situated on the east side of Stoke Road and is a roughly triangular site which dimensions 15 metres in width X 60 metres in depth. Vehicular access to the site is available from the rear. Currently the site is occupied by a single building with a half hipped roof. The building scales two storeys on the Stoke Road frontage and three storeys at the rear, reflecting a substantial fall in the land from west to east across the depth of the site. At ground floor on the Stoke Road frontage there are two retail units with residential on the first and second floors. To the rear of the building there are two substantial outbuildings together with a shipping container, providing storage for the shops with the remainder of the site being hard surfaced and used for parking and servicing.
- 3.2 Immediately to the north of the site is a vacant site which has planning permission for a mixed residential and retail development and is enclosed by hoardings. To the south of the site are two buildings with retail uses on the ground floor and residential above. As with the application site both buildings scale two storeys on the Stoke Road frontage and two/three storeys to the rear. Rear extensions have been constructed to both properties. As with the application site the rear has been hard surfaced and is used for parking and servicing.
- 3.3 To the west on the opposite side of Stoke Road are two storey Victorian cottages. To the east of the site is a rear service track separating the site from a car repair and body workshop with the rear gardens of residential properties in Fleetwood Road beyond.
- 3.4 The site lies outside but on the fringe of the town centre area. The immediate surroundings are characterised by a mix of residential and quasi commercial uses. The overall impression is one of gradual decline.

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4.1

Relevant Site History & Background

P/03678/0 12 Proposal:	14-Apr-1986	08-Aug-1986	Approved with Conditions INSTALLATION OF ILLUMINATED FASCIA SIGN.
P/03678/0 16 Proposal:	28-Oct-1991	29-Nov-1991	Approved with Conditions USE OF GROUND FLOOR UNIT AS (CLASS A2) OFFICES
P/03678/0 11 Proposal:	16-Jan-1986	03-Mar-1986	Refused CHANGE OF USE OF FIRST FLOOR FLAT TO OFFICES
P/03678/0 15 Proposal:	01-Dec-1989	12-Feb-1990	Approved with Conditions CHANGE OF USE FROM CAR HIRE TO SHOP (A1)
P/03678/0 08 Proposal:	24-Apr-1980	07-Jul-1980	Refused CHANGE OF USE OF FIRST FLOOR FROM RESIDENTIAL TO OFFICE
P/03678/0 10 Proposal:	06-Dec-1985	03-Feb-1986	Approved (Limited Period Permission) RELAXATION OF CONDITION 2 OF PLANNING CONSENT P3678/09 TO ALLOW THE CHANGE OF USE OF GROUND FLOOR AND BASEMENT TO CAR HIRE RECEPTION AND OFFICE WITH CAR PARKING AT THE REAR.
P/03678/0 14 Proposal:	22-Jun-1989	17-Jul-1989	Approved with Conditions CHANGE OF USE TO A PRIVATE CAR HIRE BUSINESS BY RELAXATION OF CONDITION NO. 2 OF P/03678/009.
P/03678/0 09 Proposal:	09-Sep-1985	21-Oct-1985	Approved with Conditions USE OF GROUND FLOOR UNIT AS CLASS A2 OFFICES/INSURANCE FINANCIAL SERVICES.
P/03678/0 13	16-Sep-1988	31-Jan-1989	Approved with Conditions

Proposal:	RELAXATION OF CONDITION NO. 1 OF PLANNING PERMISSION P/3678/10 TO ALLOW PERMANENT USE OF THE GROUND FLOOR AND BASEMENT AS A CAR HIRE OFFICE.
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P/03678/017	11-Jan-1995	20-Mar-1995	Invalid Application
Proposal:	ERECTION OF TEMPORARY USE OF OFFICE FOR CAR SALES		

P/03678/018	15-Jul-2015	Approved in Principle Subject to a Section 106 Agreement
Proposal:	Demolition of existing buildings and construction of a 5 storey building to provide 24no. flats plus 320 sq metres of ground floor retail floorspace together with ancillary car parking and servicing. Outline planning application with all matters reserved for subsequent approval.	

4.2 Of particular relevance is planning application reference P/03678/018, as set out above, which is an outline planning application with all matters reserved for subsequent approval. The proposed development bears many similarities to the current planning application in terms of its scale, massing, bulk, design and appearance, together with the type of development being proposed, including the number of flats, the siting and scale of the retail element and the number and layout of car parking spaces. The most notable difference between the two applications is the housing mix, the current proposal now showing more 2 bed units than the previous scheme. That application was considered by this Committee at its Meeting on 15th October 2015 and approved in principle subject to resolution of outstanding sustainable drainage matters, finalising conditions completion of a S106 Agreement and final determination.

4.3 In addition to the planning history relevant to the application site, the recent planning history for the neighbouring site to the north at 94 – 102 Stoke Road, the development of which is intrinsic to the redevelopment of this site is also important to note:

P/01295/009, ERECTION OF A PART 5/PART 4/ PART 2 STOREY BUILDING COMPRISING 55 NO. APARTMENTS (46 NO. ONE BEDROOM, 5 NO. TWO BEDROOM AND 4 NO. THREE BEDROOM), 2 NO. GROUND FLOOR RETAIL UNITS PROVIDING 420 SQ M OF A1 RETAIL FLOORSPACE, TOGETHER WITH UNDERGROUND UNDERCROFT PARKING FOR 38 NO. CARS / CYCLE PARKING, AMENITY SPACE / LANDSCAPING AND CONSTRUCTION OF REAR SERVICE ROAD

Approved 04-Jun-2014

P/01295/010, APPLICATION FOR VARIATION OF CONDITIONS
02 (APPROVED DRAWINGS) AND 11 (SCOOTER &
BICYCLE PARKING) TO ALLOW A MINOR MATERIAL
AMENDMENT TO PLANNING PERMISSION
REFERENCE P/01295/009 DATED 04/06/2014 FOR:

SETTING BACK OF SOUTH EASTERN CORNER OF
BUILDING FROM REAR SERVICE ROAD (GROUND &
UPPER GROUND LEVELS)
CHANGES TO LAYOUT OF UNDERCROFT PARKING
UNITS 2, 3 & 4 MOVED WESTWARDS
UNITS 2 AND 3 MARGINALLY REDUCED IN SIZE
EAST FACING LIVING ROOM WINDOW TO PLOT 2
WIDENED
BALCONIES TO PLOTS 10 & 11 WIDENED (FIRST
FLOOR LEVEL)
DEEPER OVERHANG AT UPPER LEVELS ABOVE
GROUND AND LOWER GROUND FLOORS ON
EASTERN SIDE.

- 4.2 The application site along with other sites in Stoke Road were previously identified as commercial redevelopment sites in the previous Adopted Local Plan. Although, these proposal sites were not carried forward within the current Adopted Local Plan, the aim of achieving long term comprehensive regeneration of the area has remained a broad objective of the Council.

5 Neighbour Notification

- 5.1 Neighbours Consulted: The Occupier, 70b, Stoke Road, Slough, SL2 5AP
The Occupier, 74a, Stoke Road, Slough, SL2 5AP
The Occupier, 74, Stoke Road, Slough, SL2 5AP
The Occupier, 72b, Stoke Road, Slough, SL2 5AP
The Occupier, Today's Newmarket, 72, Stoke Road, Slough, SL2 5AP
The Occupier, 72a, Stoke Road, Slough, SL2 5AP
The Occupier, 67b, Stoke Road, Slough, SL2 5BJ
The Occupier, 67a, Stoke Road, Slough, SL2 5BJ
The Occupier, 69a, Stoke Road, Slough, SL2 5BJ
The Occupier, 69b, Stoke Road, Slough, SL2 5BJ
The Occupier, 71, Stoke Road, Slough, SL2 5BJ
The Occupier, 73a, Stoke Road, Slough, SL2 5BJ
The Occupier, 73, Stoke Road, Slough, SL2 5BJ
The Occupier, 75a, Stoke Road, Slough, SL2 5BJ
The Occupier, 75, Stoke Road, Slough, SL2 5BJ
The Occupier, 77a, Stoke Road, Slough, SL2 5BJ

The Occupier, 77, Stoke Road, Slough, SL2 5BJ
The Occupier, 79a, Stoke Road, Slough, SL2 5BJ
The Occupier, 79, Stoke Road, Slough, SL2 5BJ
The Occupier, 81a, Stoke Road, Slough, SL2 5BJ
The Occupier, 81, Stoke Road, Slough, SL2 5BJ
The Occupier, 12a, Fleetwood Road, Slough, SL2 5ET
The Occupier, 12, Fleetwood Road, Slough, SL2 5ET
The Occupier, 14, Fleetwood Road, Slough, SL2 5ET
The Occupier, 14a, Fleetwood Road, Slough, SL2 5ET
The Occupier, 10b, Fleetwood Road, Slough, SL2 5ET
The Occupier, 10, Fleetwood Road, Slough, SL2 5ET
The Occupier, 10a, Fleetwood Road, Slough, SL2 5ET
The Occupier, 8, Fleetwood Road, Slough, SL2 5ET
The Occupier, 6b, Fleetwood Road, Slough, SL2 5ET
The Occupier, 6, Fleetwood Road, Slough, SL2 5ET
The Occupier, 6a, Fleetwood Road, Slough, SL2 5ET
The Occupier, 4, Fleetwood Road, Slough, SL2 5ET
The Occupier, 4a, Fleetwood Road, Slough, SL2 5ET
The Occupier, 2, Fleetwood Road, Slough, SL2 5ET
The Occupier, Dobsons Timber & Builders Merchant, 10
Stoke Road, Slough, SL2 5AP,
The Occupier, 106, Stoke Road, Slough, SL2 5AP
The Occupier, 108, Stoke Road, Slough, SL2 5AP
The Occupier, 110, Stoke Road, Slough, SL2 5AP
The Occupier, 110a, Stoke Road, Slough, SL2 5AP
The Occupier, 112, Stoke Road, Slough, SL2 5AP
The Occupier, Stephen Williams Partnership, St. Pauls |
114, Stoke Road, Slough, SL2 5AP
The Occupier, Motorcare, 2a, St. Pauls Avenue, Slough
The Occupier, 4, St. Pauls Avenue, Slough, SL2 5ES
The Occupier, 3, St. Pauls Avenue, Slough, SL2 5EX
The Occupier, 1, St. Pauls Avenue, Slough, SL2 5EX

Notices placed on site
Notice published in local press

NO OBJECTIONS RECEIVED

6 Consultation

6.1 Highways & Transport

A transport assessment has been submitted. However, further information and revisions relating to servicing, sight lines and parking have been requested. Final comments will be reported on the Amendment Sheet.

6.2 Neighbourhood Enforcement

The following conditions to be imposed:

New Dwellings

Issue 1 – Noise

Occupiers of the development may be adversely affected by road traffic noise from the activities from the retail units, plant noise and noise from the car park. As such, I suggest the following planning conditions are attached to any planning permission granted:

Condition - Measures to minimise effects of external noise on new dwellings

The development shall not begin until a scheme for protecting the proposed dwellings from external noise has been submitted to and approved by the Local Planning Authority. Any works, that form part of the scheme approved by the Local Planning Authority, shall be completed before any permitted dwelling is occupied, unless an alternative period is agreed in writing by the Local Planning Authority.

REASON: To ensure that the amenities of the future residents is not adversely affected by noise.

Occupiers may also be adversely affected by noise associated with the retail units such as customers. As such, consideration must be given to the hours of operation of the units. I would recommend that hours of operation mirror those to similar premises in the area so as not to increase the noise levels in the area.

Issue 2 – Odours

The application does not advise whether the retail will be A3 or A5 use. If so, consideration will need to be taken into account regarding the effect of odours from cooking. Odours produced by cooking activities within the kitchen may cause a nuisance to neighbouring residents if not adequately controlled. I would therefore suggest that the following condition be attached:

The ventilation system should include a filtration system capable of neutralising odours.

REASON: *To protect local residents from nuisance caused by odours*

Issue 3 Waste disposal

Where there is a combination of retail units and residential dwellings, there are often problems associated with the disposal of waste where domestic waste may become confused with commercial

waste. It is therefore essential that there is a system in place which clearly identifies both types of waste and how each of these two are disposed of. I would recommend a condition in this regard.

6.3 Environmental Quality

In line with other recent residential housing schemes and as part of any decision given electric charging points will be required.

6.4 Land Contamination

I have reviewed the documents submitted by the applicant, together with our database of potentially contaminated sites and historical mapping.

The Report submitted with the above application: "Geotechnical Report for Block of Flats at 94-102, Stoke Road, Slough, LS2 5AP", dated May 2015 and prepared by JMS Civil and Structural Engineers is NOT suitable document for the following reasons:

- The Report refers to the site at no. 94-102 Stoke Road, not the proposed development at 76-78 Stoke Road;
- The Report is a Geotechnical Report, assessing mainly the ground conditions for the purpose of foundations design. However, the requirement is for a Desk Study / Preliminary Risk Assessment / Contaminated Land Site Investigation, designed to assess the potential contamination risks to end users, associated with the proposed development.
- The Report does not contain as a minimum a Conceptual Site Model (CSM), or details of any gas and groundwater monitoring installations present in the investigated boreholes.

The proposed development is partially located on a former Brickworks. This site has been identified as a high ranking priority site as part of the Council's inspection prioritisation and it is considered a priority for further site investigation. The proposed development is also located within 250m of several other potentially contaminated land sites, six of which have entries in the Disused Tank Registry.

Based on the above, the previously recommend conditions should be placed on the Decision Notice.

6.5 Housing Development

In respect of the previous outline planning application and as per the Update in the Developers Guide, an affordable housing contribution of £290, 400 is required. This was based upon a total housing mix of 19 no. X 1 bed units and 5 no. X 2 bed units @ 30% target rent.

Under the current application, the housing mix has been changed to

12 no. X 1 bed units and 12 no. X 2 bed units, which would result in a higher financial contribution being sought. However, an updated financial contribution has not been sought from the Councils Housing Development section at this juncture, because a development viability assessment has been submitted. That study which looks at two options concludes that, in both cases the development produces a negative return and that the scheme cannot support an affordable housing or other financial contributions. The report is currently being assessed by the Council's Asset Management section with an input from External Quantity Surveyors on build costs. An update will be provided on the Amendment Sheet.

6.6 Drainage Engineer

A detailed drainage design has been requested and is still outstanding at the time of writing this report. Any update will be included on the Amendment Sheet.

7 PART B: PLANNING APPRAISAL

7.1 **Policy Background**

7.2 The application will be assessed against the following policies:

7.3 The National Planning Policy Framework (NPPF) 2012

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.

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7.5 Local Development Framework, Core Strategy 2006-2026, Development Plan Document 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)

7.6 Adopted Local Plan for Slough 2004

H7 (Town Centre Housing)
H14 (Amenity Space)
EN1 (Standards of Design)
EN3 (Landscaping Requirements)
EN5 (Design and Crime Prevention)
OSC17 (Loss of Community, Leisure or Religious Facilities)
T2 (Parking Restraint)

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

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

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

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

7.8 The main planning considerations are considered to be:

- Principle of development
- Design and Street Scene Impact
- Impact on neighbouring Uses/Occupiers
- Transport, highways and parking

- Housing Mix and Affordable Housing
- Housing Quality
- Flood Risk & Sustainable Drainage System
- Land Contamination
- Archaeology
- S106 Requirements

Principle of Development

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

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

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

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

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.

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.

The site falls outside of the town centre area but is within the urban area on the fringe of the town centre. 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.

The site in question falls within the Stoke Road neighbourhood shopping area, and is located within a highly sustainable location within easy walking distance of the town centre with its shops and facilities and the train and bus stations. In terms of the sites context, it is located within a mixed area which includes existing and proposed high density residential schemes and is an area which is undergoing much needed change and regeneration with inward investment. Such regeneration is both welcomed and supported.

It is further considered that in terms of viability that for any scheme of development to support infrastructure requirements including the provision of affordable housing, if the scheme is able to sustain such provision, land for road widening across the Stoke Road frontage and the provision of a rear service road, that a high density scheme would be necessary.

Design and appearance on the character of the area

- 7.14 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.*
- 7.15 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) be in accordance with the Spatial Strategy in terms of its

height, scale, massing and architectural style

- 7.16 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.
- 7.17 The scale, bulk height massing and appearance is similar to the previous outline planning scheme for the site which has been approved in principle subject to a S106 Agreement. The current scheme provides more detail, but is substantially based upon the scheme design and appearance as was shown on the illustrative plans which supported the previous outline application. The previous outline application showed the development as an extension to/integral part of the neighbouring development at 94 -102 Stoke Road, for which planning permission has been granted, but is not yet implemented. The proposed development maintains a similar appearance, including heights set backs, external finishing and fenestration. However, the current application shows the development as a freestanding proposal, capable of development in its own right, but with the potential to be integrated into a larger scheme involving the neighbouring site at 94 – 102 Stoke Road.
- 7.18 Under normal circumstances the scale bulk and massing of the development would need to address its surroundings, particularly given the existence of two/three storey buildings immediately abutting the site to the south, against which a development of the scale being proposed would look at odds in terms of the general street scene. However, this principle was accepted in relation to the neighbouring site to the north at 94 – 102 Stoke Road, whereby a similar scale of development has been approved and which sits between existing developments which are only 2/3 storeys in height. Furthermore, in this instance the redevelopment of the site in terms of its siting design height scale bulk and massing needs to be considered having regard to the bigger picture vis a vis the scheme approved on the neighbouring site at 94 – 102 and the likelihood of other sites to the south coming forward for redevelopment in the future and the need to support the regeneration of this part of Stoke Road. The applicants have adopted a design solution for the site which has been tried and tested in relation to the neighbouring site to the north.

Impact on neighbouring Uses/Occupiers

- 7.19 As stated above, in the National Planning Policy Statement 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.....*

7.20 The following potential impacts are identified:

- a) Potentially overbearing and overly dominant outlook for the occupiers of the residential units in Fleetwood Road to the rear of the site on the eastern side of the development site. However, at its closest point the development is approximately 33 metres from the rear garden boundaries of the properties in question and approximately 55 metres from the rear elevations of the properties in question.
- b) Potentially overbearing and overly dominant outlook for the residential occupiers of the first/second floor residential units above the retail units in the neighbouring properties at 72 – 74 Stoke Road. The site being due north of the neighbouring properties would not result in any loss of sunlight to the windows located in the rear of the flats, however it will result in some loss of light to those windows. There would also be a breach of a 45 degree line of sight when measured from the first/second floor rear facing windows resulting in an overbearing impact for the occupiers of the flats in question. However, the central portion of the development is restricted to two storeys in height in line with the scheme approved on the neighbouring site. This will provide some relief to the neighbouring residential occupiers at 74 Stoke Road, although, any overbearing impact would not extend to the area at the rear of the flats as this is laid out as hardstanding for parking and servicing. Whilst no planning history can be found for the two storey rear extension which exists at no. 74 Stoke Road, by reference to arial maps it is clear that the extensions in question have been in existence for more than four years.

Whilst, the impact on living conditions of neighbouring residential occupiers would normally be sufficient grounds to

warrant a refusal of planning permission, in this instance given the history of failed planning applications to redevelop the site for a more substantial form of development and given the likelihood of the neighbouring site(s) coming forward for redevelopment this short term impact can be accepted. It should also be noted that no flank wall windows other than a single window serving a staircase, are being proposed within the southern flank of the development. A condition will be imposed requiring flank wall windows to be obscurely glazed and high level opening. With this condition in place there would be no direct overlooking or loss of privacy.

Transport, highways and Parking

- 7.21 A transport assessment has been submitted, although further information has been requested by the Council's transport and highway engineers with respect to servicing, sight lines and access. The Council's transport engineer has advised that from information obtained from the TRICS database, the development could give rise to a net increase of 488 trips a day which could have a significant impact on traffic flows on Stoke Road

Car parking is shown at 16 no. spaces, giving a total of 0.6 spaces per residential dwelling and nil provision for the retail. Some of the parking spaces are too small and a revised car parking layout is required. However, given that the site is within a neighbouring shopping centre, there is a nil requirement for parking. Furthermore, the ratio of provision is similar to that approved on the neighbouring site at 94 -102 Stoke Road. A condition will need to be imposed requiring a minimum of 16 no. car parking spaces to be provided together with a detailed car parking layout showing the column positions.

Access and servicing will be provided from a rear service road, which is to be built to adoptable standards prior to the commencement of development and the land dedicated as adoptable highway. This requirement will be included in a Section 106 Agreement. At present the scheme does not provide adequate vehicular or pedestrian sight lines and requirements amendments to be submitted. Once agreed, planning conditions will be imposed requiring such sight lines and pedestrian visibility splays to be provided.

Whilst further information on servicing has been sought, conditions will be imposed requiring that all servicing is to take place from the rear of the site and not from Stoke Road.

The site is affected by the Stoke Road development control road widening line and the land required would need to be dedicated through means of a Section 106 Agreement.

Secure cycle parking is shown, although the Council's but improvements are sought both to the siting and quality of such provision. Details of cycle parking will be covered by planning condition.

Refuse storage is shown on the deposited plans, however further information on servicing has been requested and amended plans showing separate commercial and domestic refuse stores are to be submitted. Nonetheless, planning conditions are required to specify the volumes required.

In relation to the previous outline planning application, the highway and transport engineers advised that, due to the significant increase in vehicle trips mitigation is required through a Section 106 Agreement:

- Construction and dedication of land to widen the footway in Stoke Road across the site frontage in connection with the Stoke Road development control widening line.
- Construction and dedication of the rear service road across the rear of the site.
- Enter into a S278 Agreement for the following highway works:
 - Temporary access point;
 - Installation of crossover / junction;
 - Reconstruct the footway fronting the application site;
 - Installation of street lighting modifications as necessary
 - Drainage connections;
 - Highway delineation boundary;
 - Construction and dedication as highway maintainable at the public expense, free of charge, the widened footway along Stoke Road;
 - Dedication as highway maintainable at the public expense, free of charge, of sight line areas
 - Construction and dedication as highway maintainable at the public expense, free of charge, the rear service road and associated infrastructure and turning areas

Housing Mix and Affordable Housing

- 7.22 The National Planning Policy Framework requires that local planning authorities ensure the provision of a wide range of good quality homes
- 7.23 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.

- 7.24 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 24 no. units requires payment of a financial contribution to fund the provision of affordable housing off site. The Housing Development Section previously advised a contribution of £290,400

This was based upon a total housing mix of 19 no. X 1 bed units and 5 no. X 2 bed units @ 30% target rent.

Under the current application, the housing mix has been changed to 12 no. X 1 bed units and 12 no. X 2 bed units, which would result in a higher financial contribution being sought. However, an updated financial contribution has not been sought from the Councils Housing Development section at this juncture, because a development viability assessment has been submitted. That study which looks at two options concludes that, in both cases the development produces a negative return and that the scheme cannot support an affordable housing or other financial contributions. The report is currently being assessed by the Council's Asset Management section with an input from External Quantity Surveyors on build costs. An update will be provided on the Amendment Sheet.

Quality of Housing

- 7.25 All flats have a reasonable aspect and the layout is similar to that of the neighbouring site at 94 – 102 Stoke Road. At upper ground floor level there is a separation distance of between 11 – 13 metres between the rear elevations of the 2 no ground floor flats and the blank rear wall of the retail unit. However, only one of the flats has a primary window facing towards the rear blank wall of the retail units and that is sited 13 metres away. Whilst this falls below the Council's normal requirement for a minimum distance of 15 metres, the intervening area is shown as private terraces to serve the flats in question and which provides a quality usable private space for the occupiers. At first to third floor levels the separation distance between primary elevations of opposing flats is 15 metres, which falls short of the 18 m which is normally required in such situations. However, the balcony screens serving each of the opposing flats in question can be suitably treated to ensure no loss of privacy. Further, this relaxation follows the pattern of development which was achieved in relation to the neighbouring scheme at 94 – 102 Stoke Road and for which planning permission has been granted.
- 7.26 With respect to internal room sizes these have been assessed against the Council's Flat Conversion Guidelines. It is confirmed that

all flats generally comply.

- 7.27 All flats have a reasonable aspect and would receive sufficient light and sunlight. Most of the flats with balconies would require the installation of privacy screens to protect privacy.

Flood Risk & Sustainable Drainage System

- 7.28 The site is in Flood Zone 1.

- 7.29 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. A detailed drainage design is being prepared and will be submitted for consideration. Any update will be provided on the Amendment Sheet.

- 7.30 Discussions are still on going with respect to Sustainable Drainage measures but the applicants are gradually moving towards an acceptable solution.

Land Contamination

- 7.31 Conditions are required including the submission of a desk top study and mitigation if appropriate. These are set out above.

Archaeology

- 7.32 The applicant has submitted an Archaeological Desk top study, which was prepared pursuant to a condition imposed on the planning permission relating to the neighbouring site at 94 – 102 Stoke Road. That study looked not only at the site itself but also the land surrounding. That study was evaluated by Berkshire Archaeology at the time and the following comments given:

In accordance with the wording of Condition 09, the Assessment has focussed on assembling evidence of past land use within the site, as well as reviewing the known and potential resource within and around the application site. The Assessment concludes (para. 4.10.3) that the site has 'a low/nil potential for significant archaeological remains dating to any period' and that 'post-medieval and modern clay extraction compounded by subsequent 20th century construction and demolition will have caused severe and widespread below ground disturbance' (para. 5.1.2).

The Assessment report therefore concludes (para. 5.3.3) that 'the proposed development would not have an impact on any significant archaeological assets and therefore, there is no requirement for

further archaeological work’.

Berkshire Archaeology concurs with this view as evidenced by information contained within the Assessment report. No further archaeological mitigation is therefore required and I am content to recommend that Condition 09 of permission P/01295/010 is discharged forthwith.

On the basis of the comments previously given, it is not proposed to impose any further such conditions in respect of the current planning application.

S106 Agreement

7.33 Given the scale of the development it is not proposed to pursue either education or open space financial contribution.

The Section 106 Agreement will need to include an obligation that the application site including the rear service road, is built out as part of a larger development including the neighbouring site at 94 – 102 Stoke Road for which detailed planning permission is already granted.

A financial contribution of £290,400 is payable in lieu of the provision of affordable housing on site. The trigger points for payment are to be negotiated, although it is likely to be on the basis of 50% payable prior to first occupation and the remained payable prior to the occupation/sale of the 14th dwelling.

The Council’s Transport and Highway Engineers have previously advised the following additional S106 requirements:

- Construction and dedication of land to widen the footway in Stoke Road across the site frontage in connection with the Stoke Road development control widening line.
- Construction and dedication of the rear service road across the rear of the site.
- Enter into a S278 Agreement for the following highway works:
 - Temporary access point;
 - Installation of crossover / junction;
 - Reconstruct the footway fronting the application site;
 - Installation of street lighting modifications as necessary
 - Drainage connections;
 - Highway delineation boundary;
 - Construction and dedication as highway maintainable at the public expense, free of charge, the widened footway along Stoke Road;
 - Dedication as highway maintainable at the public expense, free of charge, of sight line areas
 - Construction and dedication as highway maintainable at

the public expense, free of charge, the rear service road and associated infrastructure and turning areas

The above requirements may be subject to change and any such changes will be reported on the Amendment Sheet.

9.0 **PART C: RECOMMENDATION**

9.1 **Recommendation**

9.2 Delegate the planning application to the Planning Manager for approval, subject to resolution of outstanding transport/highway issues, sustainable drainage matters, development viability issues, minor design changes, finalising conditions, completion of a S106 Agreement and final determination.

9.3 **PART D: CONDITIONS AND INFORMATIVES**

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.

12.4 **CONDITIONS:**

1. Time limit, 3 years.]
2. Approved Plans
3. Samples of materials
4. Samples of Surface Materials
5. Parking Provision
6. Vision splays & pedestrian Vision Splays (Rear Service Road)
7. Detailed Design for Undercroft Parking Area, (including column positions)
8. Cycle parking
9. Refuse
10. Rear Servicing
11. Means of Access
12. No gating of service road
13. Land Contamination
14. Electric Charging Points
15. Sustainable Drainage
16. Construction Traffic Management Plan
17. External lighting
18. Waste Management Plan
19. Noise – plant & air conditioning units
20. Maximum Retail Floorspace
21. Car Park Management and Servicing Plan

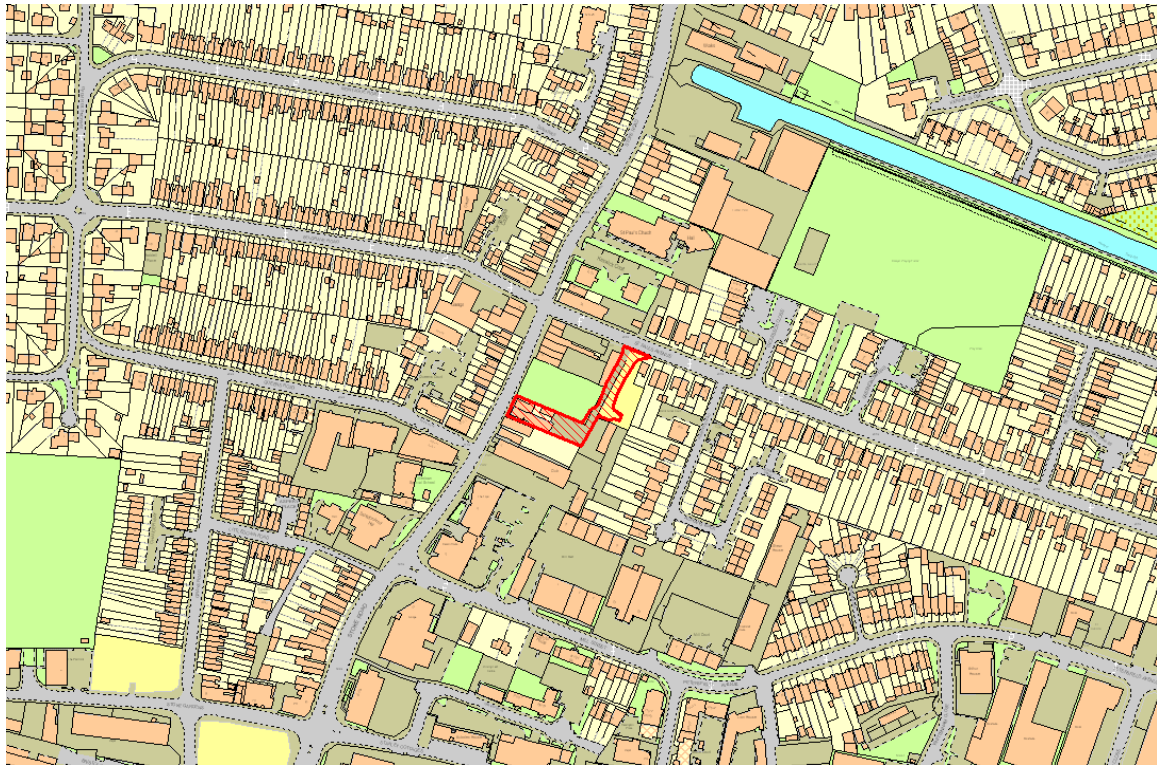
22. No gates or Barriers to open across public highway
23. Retail Use (Classes A1 – A3)
24. Development to achieve BREEAM very Good
25. Restriction on Delivery Times during Construction
26. Details of Car Park ventilation
27. Details of ventilation and extraction fumes for A3 retail uses
28. No additional flank wall windows
29. Flank wall windows to be obscurely glazed & high level opening
30. Construction of rear service road to binder level prior to commencement of development
31. Landscaping & boundary treatment
32. Insulation from external noise
33. Maximum height of development
34. Details of balconies/privacy screens

Appendix B – Amendment Sheet, 31st March 2016 Committee

76 – 78 Stoke Road

Agenda Item 8

The Site Plan shown on page 59 does not show the correct application site. The correct site area is shown on the plan below.



A full written response has been received from the Council's Transport and Highways Engineer. The comments below summarise the main outstanding issues.

“The car park layout does not work in the vicinity of the site access as the two stairwells are too close to each other and they impede forward visibility of vehicles entering and exiting the car park. It is also unclear as to how the enlarged retail unit will be serviced. As currently designed the internal layout of the car park is unacceptable.”

The site vehicle access is shown as ‘Exit Only’ but as this site is stand-alone then it needs an entry point as well. The ‘Exit’ is sufficient width for two way traffic as it is 6m wide, but it does not have sufficient vehicle or pedestrian visibility splays to be acceptable. Vehicle visibility splats of 2.4m x 43m are required from the centre-line of the vehicle access point and pedestrian visibility splays of 2.4m x 2.4m are required on both sides of the vehicle access taken from the rear edge of the footway. It would appear that the vehicle access will need to be relocated in to the centre of the site in order to achieve the visibility splays. This will require a re-design of the building.

A drawing has been submitted showing the rear service road, but the red line of the application does not match the extent of the rear service road to be constructed as this extends beyond this. In previous discussions with the adjoining land owner to the west (the car repairs garage), that owner has commented that this land is within his ownership. Whilst the architect for this development has commented that the land is within his client's ownership this is not marked on the submitted plans and therefore it would appear not to be the case. The rear service road needs to come forward as part of this development and be constructed up to the southern boundary as without it I cannot see how the scheme can be appropriately accessed".

In response to these comments, the applicant's transport consultant has prepared a supplementary transport report, which details sight lines and pedestrian visibility splays, servicing and access arrangements and parking layout.

These are under consideration by the Council's Transport and Highways Engineer and are the subject of further negotiations.

A drainage strategy has been submitted which is currently being reviewed by the Council's drainage advisers.

There is no change to the recommendation which is:

Delegate the planning application to the Planning Manager for approval, subject to resolution of outstanding transport/highway issues, sustainable drainage matters, development viability issues, minor design changes, finalising conditions, completion of a S106 Agreement and final determination.