

PLANNING COMMITTEE

2nd November 2016

THE FOLLOWING ALTERATIONS AND AMENDMENTS HAVE BEEN
RECEIVED SINCE THE PLANNING OFFICER'S REPORT WAS
PRESENTED TO MEMBERS

Objection:

The following objection was received from a resident at No. 9 Garnet Close during the consultation period (letter dated 1st April 2016) but was not reported within the Supplementary Committee Report, the contexts of the objection letter is below:

Ref P/05370/069

I am in receipt of your letter reference above and wish to express my concern over the plan to erect a petrol filling station in the car park of ASDA, Telford Drive, directly behind residents' gardens! The following are my reasons:

Health & Safety: I have always understood Slough BC to be a council that cares about the environment and reducing carbon emissions, and this will only contribute to increasing emissions and discourage people from walking to the shops! I also fear that there will be no evacuation plan in the event of fire/spillages, as this station is going to be unmanned, and who would raise the alarm enabling the evacuation of local residents?

Removal of shrubs and trees: this will destroy the habitat for animals that frequent the gardens, and birds that nest in shrubs on the outskirts of ASDA car park. Trees and plants play an important role in removing pollutants and carbon dioxide from the atmosphere, whilst at the same time providing us with clean oxygen. Cutting down these trees and shrubs will have an impact of residents' health, not to mention adding to the already high pollution within Slough.

Increased noise pollution: residents already suffer noise pollution from the way people use the car park as a race track at night, play their music in their cars at unreasonable hours at the back of the car park, the car washing facility during the day, using snowploughs at 1.00 am on a weekday, and now they wish to erect a petrol station to add to the noise! ASDA have done nothing in the past to help the residents with this issue and as the station will not be manned I fear they have will have no control over the station and the noise it will produce!

Increased Traffic: this is obviously going to increase traffic travelling along Telford Drive and certainly not encourage people to walk or get the bus to ASDA to get their shopping. At times the traffic is already bad when I'm trying to exit Telford Drive on to Cippenham Lane, due to the traffic leaving ASDA. The traffic on part of Telford Drive has been reduced to 20 mph by the traffic calming humps and speed limits, presumably because of the danger, this is surely going to add to the problem! It will encourage people travelling along Cippenham Lane to leave that road and drive down to ASDA just to fill their cars with petrol, when they would normally continue on to the Bath Road or Chalvey, where there are already petrol stations! The heavy lorries that will be used to deliver the petrol must also be a cause for concern, children are often playing in the area.

Fewer parking spaces: this is going to reduce parking spaces in ASDA car park and I know how full the car park gets as my house backs directly onto the furthest away spaces, which are used last. Whenever there is an advertising campaign on the TV or such times as Christmas and Easter then the store car park overflows, customers then use our local streets when they cannot get into the car park, causing problems for local residents such as myself!

Finally, I seriously object to the erection of a petrol station in ASDA car park, which has been planned without a single thought for the welfare, happiness and lives of the residents in and around ASDA. I sincerely hope that these issues will be taken into account when considering planning permission.

Natural England:

Natural England has responded to the consultation and stated that they have no comments to make on this application.

Following the Supplementary Report, a subsequent letter has been received from the agent (Dated 2nd November 2016, reference 003A.ES/YOR.2677):

“Highways

We note the comments of the Local Highway Authority requesting alterations to the proposed pedestrian improvements adjoining the site.

Given that the development would create an uplift of 17 trips in/out in the peak hour, we maintain the view that the development could be accommodated without additional works. It should also be noted that the parking surveys demonstrate that the car park currently operates below 60% capacity, meaning a significantly higher level of vehicular activity could take place within the existing consented development than that proposed. The reuse of the car park for the proposed development reduces the potential for vehicular parking in connection with the store. As already set out, the extent to which such a modest number of additional trips might present pedestrian safety concerns is limited and ASDA's proposals will not lead to any uplift in pedestrian activity. Notwithstanding this, we are aware that the Council are seeking mitigation in respect of vehicle trips generated by the petrol station.

Following discussions with the Highways Officer, the proposed junction improvements have been amended as shown on the enclosed drawing. The improvements increase the size of the pedestrian islands at the roundabout, thereby reducing pedestrian crossing distance and vehicle speeds at the junction, in addition to the installation of tactile paving on the crossing. The level of pedestrian improvements proposed is considered to be more than adequate to offset any minimal impact from traffic generated by the proposed petrol filling station. The proposals respond to comments made by the Highways Officer, who has now confirmed there are no highway objections to the proposed development.

ASDA is agreeable to provide the pedestrian improvements to offset any minimal increase in vehicular trips and it is considered that the most suitable method for delivering these improvements would be conditioned to be provided under a licence for minor works within the highway, or through a S278 agreement should the Council consider this necessary.

Air Quality

We note the comments from the Environmental Manager in the committee report, suggesting that an air quality assessment is required. We have been advised by ASDA's air quality consultants that any impact on air quality from the proposed development would be negligible, given the proximity of the site to the M4.

The proposals remove 60 spaces to accommodate the petrol filling station, and therefore this part of the site already has the potential to generate a substantial number of trips each day. Further to the request of the Council's Environmental Manager, ASDA is agreeable to providing an electric vehicle charging point to reflect that fact that the development is located within the Air Quality Management Area. The encouragement for customers to use electric vehicles would clearly offset any negligible impact on the AQMA. This would help to achieve targets in the Council's Air Quality Action Plan, including 'Encouraging Use of Cleaner Vehicles and Fuels'.

We suggest that the location for the electric vehicle charging point is provided within the wider car park and ASDA would be agreeable to delivering this through a planning condition suggested as follows:

“Prior to the commencement of trading of the petrol filling station, details of an electric vehicle charging bay with an electric vehicle charging point, including location and timescales for installation, shall be submitted to and approved in writing by the Local Planning Authority. The electric charging point bay and point shall be installed in accordance with the approved details.”

Condition 14 – Forecourt supervision

Condition 14 within the committee report states *“The proposed petrol filling station must be manned at all times.”* Unfortunately, this condition places a significant restriction on the manner which ASDA propose to operate the facility.

The proposal is for an automated petrol station. There will be a dedicated member of staff within the store responsible for addressing any customer issues which arise from the PFS at all times that the facility is open. Although staff will be available at all times, staff will not be actually present at the petrol station facility at all times. The management of unmanned petrol stations has been an acceptable process in other locations and this process has been agreed with the London Fire Authority as a suitable procedure. I have been provided with the following statement by ASDA which clarifies further.

ASDA have well over 100 installations of this type of forecourt and the station will effectively operate as an “unmanned site” in terms of the APEA Blue Book classification and as such there are a number of Engineered Control Measures that are included in the station specification that comply with Clause 9.1. These “Control Measures” have been subject to design development and review with the Authoritative Advise of the Petroleum Group of London Fire and Emergency Planning Authoritative who ASDA have entered into a formal partnership agreement.

Operational Aspect of the New Automated Petrol Station.

Whilst the site is designated USS it is not strictly true. The station is not a remote stand-alone facility such as a garage on a high street and the forecourt will only be operational when there are “competent Persons” available on the superstore site. At Christmas Day, Easter Sunday and other Bank Holiday closures the Petrol Station will also be closed. ASDA will have colleague attendance on the forecourt each week to cover opening/closure procedures and for limited periods only which shall usually coordinated at peak trading times to assist with customer transactions and to monitor forecourt conditions. They are also responsible for general forecourt housekeeping and reporting of any equipment faults/failures, and are able to accept attended deliveries in the unlikely event of the DCD failing. Outside of these hours there will be periodical inspections, such as hourly walk over’s or as site specific risk assessment dictates.

The exact number of competent persons trained is site dependant in order ensure full coverage during opening hours. It is usual for 5 forecourt greeters to be trained as competent persons and all duty managers to ensure full coverage. If, for unforeseen circumstances, a competent person is not present on site it is a requirement for the site to be closed.

The forecourt greeters will be trained as competent persons. To achieve the level of competency the designated colleagues will undertake a theory training course by reference to comprehensive ASDA corporate documents for operating and maintenance procedures who will be signed off as compliant on completion. They will also undergo “live” training for approximately two days on an existing site locally to gain “hands on” experience and advice from existing operators, all prior to this site opening. There will be further training with

colleagues on the forecourt once the pumps have been commissioned and there will be supporting personnel on site on the day of opening to ensure everything goes smoothly. When the greeter is not in attendance customer assistance will always be readily available from the adjacent store. Customers requiring assistance including disabled customers are able to communicate with the store by dedicated help call points on the forecourt. These facilities are linked by pre-set communication lines direct to the store duty manager who carries a mobile and are available at all times. This person will organize immediate attendance and the colleague response time is to be on the forecourt within a 5 minutes period. The relationship of the PFS to store on this site is considered appropriate to meet this requirement.

Customer communication points include a Help Point/telephone handset which is a bright yellow situated on the Control Unit alongside the forecourt which is highlighted by prominent signage at the dispensing position and has high visual background signage on the building.

In addition to this, adjacent the Help Point there is an Emergency Box with a smash glass emergency shutdown switch which can be operated by members of the public. Signage on the pumps will advise customers to use the Help Point if they require assistance and in the event of a spillage, fire or damage to a pump to smash the glass to shut down the site. Adjacent to this is a smash to open glass cabinet containing fire extinguishers and a sand bucket.

Communication with the forecourt is managed by a remote monitoring company called "Farsight". This company have the ability to communicate with the customer on the forecourt via the help phone and the phone handset within the Emergency Box located alongside the forecourt. They have visibility and control of the forecourt via dedicated CCTV and can also communicate through the forecourt Tannoy system. There are set procedures for dealing with circumstances which escalate dependant on the mundane to seriousness of requirements. This company also has the ability to close the forecourt pumps down remotely if necessary, they cannot re-activate though.

To comply with DDA requirements and to generally provide customer assistance if required, there is a call button fixed to a column at a designated position on the forecourt which is highlighted on front of the relevant column at high level for visibility on forecourt entry. This is activated by button press or a Service Call transmitter which shall be free issue from the store. Upon activation, a signal is sent via an auto dial unit which relays the message "customer requires immediate assistance at the petrol station"

This message is picked up by the duty manager who shall arrange for immediate colleague attendance.

Should further assurances be required on the USS operation references should be sought from Brian Humm, Head of Petroleum, London Fire Brigade. Tel: 020 8555 1200 x 30857 Mobile: 07818 097141

ASDA therefore request the removal of the requirement for a manned PFS as it is not necessary for the site as set out in the statement above. An alternative condition requiring the supervision of the petrol station in accordance with the above principles would be acceptable.

Summary

In summary, the application was considered at the Planning Committee in June, and there was a resolution to grant planning permission, subject to provision of a suitable pedestrian crossing on the slip road at the entrance to the site. We have proposed a package of pedestrian

improvements at the entrance to the site, which Officers have now confirmed there are no highways objections to the proposed development.

It is also proposed to offer an electric vehicle charging point within the store car park, to comply with the principles of the Air Quality Action Plan as a result of any uplift in vehicular movements to the site. Accordingly, Officers are also satisfied that there would be no adverse impact on the AQMA.

Finally, details have been provided detailing measures for the forecourt supervisor which have been agreed with the Head of Petroleum at the London Fire Authority. The forecourt management would ensure that there would be no adverse impact on the amenity of adjoining residents and ASDA is agreeable to an alternative condition requiring the supervision of the petrol station in accordance with the principles set out in the statement above."

Below is a response to the letter above from the Highways & Transport Officer and Environmental Quality Officer:

Highways & Transport:

"The proposed design is acceptable in principle subject to the applicant addressing any issues in relation to the detailed design through S278 / Minor Highways Works agreement as standard procedure. This process will look at the detailed design of signing, lining, drainage etc. The proposed scheme is considered to offer adequate mitigation to the increase in vehicle trips to the site resulting from the petrol filling station. The increase in size of the central islands of the carriageway will significantly improve the convenience and safety of crossing at these locations and will slow entry and exit speed at the roundabout. No highway objection."

Environmental Quality:

"It needs to be a rapid charger – A Mode 4 Dedicated DC connection. The developer may wish to add a charge for using the rapid charger but this must not exceed £5 per charge event in order to cover the cost of energy and maintenance. The charger must be open access to all customers and members of the public, and be able to take pin/contactless payments. It must be maintained so that it has less than 10% downtime. The usage figures relating to the charger shall be reported annually to the Local Authority. (Note the software will automatically log every charge event). This is to enable us to monitor acceleration of uptake of EVs in Slough."

Justification: The EV charger is an alternative to fuel station fuelling of ICE (Internal Combustion Engine) cars, to promote EV car use, and to offset the additional emissions associated with customers using the proposed service station. Subject to ASDA agreeing the installation of the rapid charger then there will not be a requirement for an air quality assessment. This is because our own modelling predicts the prevailing levels to be below the air quality objectives for this location, and the predicted additional traffic associated with the use (fuel station) will lead to a slight adverse impact (worse case scenario), in this case we would therefore require some form contribution S106 or offset mitigation (EV charger) to adequately mitigate the slight impact on residents from increased traffic generation on the site."

THERE IS A CHANGE TO THE RECOMMENDATION:

It is recommended that the application is delegated to the Planning Manager for approval, following resolution of air quality matters and finalising of conditions.

Amended Plans

Amended plans have since been submitted to include two pay and display machines and the location of a height barrier to prevent HGVs accessing the proposed car park. The pay and display machines are visually appropriate and in line with what would be expected in a car park. The elevational details regarding the barrier have not been submitted, however, these details can be reasonably required by a condition to any approval.

Impact on Trees

The Council's Tree Officer has raised no objection to the impact and loss of trees. There are a number of trees on the site, and those that would be removed are not would not be worthy of protection through a Tree Preservation Order. The larger mature trees by the railway line are not shown to be removed, and their long term health would not be impact by a relatively shallow dig for the hard surface. Furthermore, these trees are under the ownership of Network Rail, who have particular rights to remove/prune trees on their land.

ONE ADDITIONAL RECOMMENDED CONDITION.

1. Prior to the first use of the development hereby permitted, details of the height barrier to the car park access shall be submitted to and approved in writing by Local Planning Authority. The height barrier shall be installed in compliance with the approved details.

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

The applicant has provided further details regarding the proposed car parking provision. A revised layout showing 26 no. car parking spaces has also been submitted.

The applicant has stated that it is proposed to allocate 11 no. spaces for use by existing commercial occupiers. The spaces would be located adjacent to the rear of Ambassador House (space nos. 3, 4, 10-18).

The applicant has also stated that the remaining 15 no. spaces would be assigned to the proposed residential occupiers.

Whilst Highways commented that the overall parking requirement for existing and proposed uses would be 28 no. spaces, the shortfall of 2 no. spaces is not considered to give rise detriment that would warrant the refusal of planning permission given that the site is in such close proximity to the Farnham Road District Centre.

In terms of the revised plan, the Council's Transport consultant has commented that the cycle parking and visibility splays are now acceptable.

To allow for the expiration of the site notice there is a change to the recommendation to delegate to the Planning Manager for approval to consider any further observations or objections from neighbours / consultees, and finalising conditions.

CHANGE TO RECOMMENDATION

Delegate to the Planning Manager for approval subject to consider any further observations or objections from neighbours / consultees and finalising conditions.