

Registration Date:	02-Sep-2016	Application No:	P/00619/007
Officer:	Mr Albertini	Ward:	Central
Applicant:	Mr Ali Raza, Comfort Care Services Ltd	Application Type:	Major
		13 Week Date:	2 December 2016
Agent:	Mr Josh Harling, Yeme Architects The Diplomat Hotel, 144 Sunbridge Road, Bradford, West Yorkshire, BD7 1HR		
Location:	64 Mill Street, Slough, SL2 5DH		
Proposal:	Demolition of existing building (Gym) and construction of an apartment building. 6 Storeys high with 27 flats. (26 one bedroom 1 two bedroom).		

Recommendation: Delegate to Planning Manager for approval



Reference Number P/00619/007

1.0 SUMMARY OF RECOMMENDATION

Delegate to Planning Manager for approval subject to completion of a Sec 106 planning obligation.

PART A: BACKGROUND

2.0 Proposal

- 2.1 The revised scheme comprises 26 one bedroom and 1 two bedroom flats in a 6 storey building. No affordable housing is proposed within the development. Several revisions have been made since the application was submitted in response to officers comments.
- 2.2 The proposed building is narrow but deep with some projections on the flanks and a set back top floor. It sits close to or abuts the north side site boundary. The front is in line with adjacent buildings. The rear end is close to the end of Grays Place and a rear garden fence of an adjacent Grays Place house. Habitable rooms are on each elevation of the building but there are fewer windows on the flanks. Some of the projections from the flanks contain windows that look down the side of the building. Other windows on the flanks have translucent panels or have fins to prevent or restrict views out. There are no windows in the north elevation of the top floor. The height of the building is 15.8 metres and 13.1 metres to the top of the fifth storey.
- 2.3 The north façade sits between 1.4 and 3.3 metres from the site boundary although part of the building, with no windows, abuts the boundary. The separation distance to the adjacent flank is 2.8 m and from the corner of the building to the corner of the nearby house 11. m. The south façade is between 5 and 9.5 metres from the south boundary of the site. And it is between 12 and 15.6 metres away from the north elevation of the adjacent Rivington Apartments building to the south. The front is 15 to 16 metres away from the flats opposite in Mill Street.
- 2.4 1 car parking space is proposed off Grays Place and space for 16 cycles to be stored. The gap along the south side provides a cycle store, bin store and planting space. The space also contains a gated path between Mill St. and Grays Place off which is the building entrance on the south side of the building. Mill St footway is shown widened.
- 2.5 The ground floor flats all have patio areas outside their windows with surrounds of low wall with railings. Upper storey flats at the Mill St and Grays Place ends of the building have balconies. Amenity planting is shown around parts of the edge of the site including trees on the south side.

- 2.6 The building has a flat roof with walls primarily in brick plus some smooth finish render (with anti fungal paint) and for the set back top floor horizontal cladding panels. Brick colour on drawings is stated as red but textured buff in the design and access statement. There are feature panels of composite wood veneer panels above the entrance door and on part of the frontage. The appearance is contemporary in style. Most windows are deep. Those on the flanks or projections are narrow; those on the forward most part of the rear and front elevation are wider. Some have fins to limit overlooking.
- 2.7 The application is supported with a design and access statement, a light study and drainage information. The light study concludes that the building will not have a notable reduction in the amount of either daylight or sunlight enjoyed by neighbouring buildings. Rooms within the development will exceed the minimum target daylight values. Some rooms will not achieve target sunlight levels.
- 2.8 The submitted viability study indicates it is not economic to include affordable housing. A financial contribution is offered based upon the Council's requested education contributions. Negotiations have resulted in a larger contribution for affordable housing education and transport. Full confirmation of this in relation to the revised scheme has been sought.
- 2.9 The previous application, that was recommended for refusal but withdrawn, proposed a 5 storey building with a greater extent of the building closer to the north and south boundaries than the current scheme and a different window and room arrangement. The new proposal has more mass at the top of the building but is not higher than the ridge line of the previous scheme. Some protrusions on the south side are closer, above ground floor level, to the south boundary than the previous scheme.

3.0 **Application Site**

- 3.1 This 780 sq metre site (0.078 ha) currently contains an unattractive two storey former light industrial building used as a gym (655 sqm). It is a narrow fronted but deep site which has an access at the front and back. It is set back from Mill Street footway 3.5 m (7.5m first floor) and from the end of Grays Place 4 to 9 metres on a slanting boundary line. Part of the building sits on the north boundary and the south side is 4.75 metres off the site boundary. There are windows on all elevations except that part of the north elevation on the boundary.
- 3.2 The site has space for about 10 cars but at least 4 would not be approved if part of a planning application. The parking is located off Mill Street and Grays Place but not connected.
- 3.3 The site sits between 3/4 storey flats to the north and the recently completed apartment building off Railway Terrace known as Rivington Apartments – this is a combination of 5 and 7 storey rising to 9 storeys with

a set back. Immediately adjacent to the south boundary is the ramp down to the basement car park of the latter building. The 3/4 storey block (Headington Place) has its flank next to the site (2.75 metres away) and part of its rear car park. The 5 to 9 storey building is between 6 and 8 metres from the site boundary and has habitable room windows in its north elevation some with balconies.

3.4 Opposite to the east is Noble Court a 4/5 storey building. To the west is the end of Grays Place (serving the Rivington Apartments building service yard) and a rear garden of a two storey house in Mill Street the building of which is 5 metres away to the north west.

3.5 The site falls within the town centre area as defined in the Core Strategy. It is very close to the railway station and a short walk to the town centre via William Street bridge.

4.0 **Site History**

4.1 P/00619/005 application (2009) for change of use from business to gym use withdrawn 2012.

P/00615/006 28 flats in 5 storey building Recommended for refusal but withdrawn Nov 2015.

5.0 **Neighbour Notification**

5.1 Mill St Headington Place 1-12 14-20
Mill St Noble Court 1-12 14-16 17-23 48 50 52.
Grays Place 61 61a 63 65

Railway Terrace Rivington Apartments 10-15, 29-34, 48-53, 67-72, 84-88,98-102, 108-109, 112-113.

5.2 The description of the development stated 5 instead of 6 storey building when the application was first publicised. Neighbours have been notified of the revised scheme and 6 storey has been stated in the description. Any response to the latest revised scheme will be reported on the meeting amendment sheet.

5.3 3 letters from neighbours objecting to the initial proposal on the following grounds:

Part of private access from Grays Place to the site and shared with 4 homes in that street may be used for car parking as the proposal has no parking space. Risk of access to homes being blocked.

Overshadowing/less sunlight and overlooking/loss of privacy of home in Grays Place. Building will overlook bathroom bedroom lounge. *Response – para Sec 9.*

Worried about safety and increased noise/disturbance due to intended

housing of adults with health/misuse issues.

Design and appearance – concern about height. Proposal would erode spacing between properties – a critical buffer zone. Response to pre application scheme stated officers ‘would support a substantially reduced scheme’. Withdrawn application recommended for refusal. New scheme very similar to previous. It is poor design and does not comply with Local Plan policy. *Response – para Section 9.*

Impact on Neighbouring residents – Day/Sun light report does not include homes in Grays Place. No information to show proposal would not result in unacceptable loss of light. Size, scale height of proposal result in oppressive development which would harm amenity of neighbours – overbearing, loss of outlook sense of enclosure. Not comply with policy. *Response – para. 9.7 and Section 9.*

Parking and Highway Issues – No parking assessment provided. Previous report highlighted lack of parking may cause on street parking in an area of high parking demand. Proposal would have prejudicial impact on highway safety and free flow of traffic therefore does not comply with policy. *Response – para 6.3 and 8.1*

5.4 Response for matters not in report below.

Regarding access the applicant states they have a right of way over the land and it was built by the sites previous owner but residents do not have a right to use it. There is a risk of visitors to the new building attempting to park on the access and blocking access to individual homes rather than find a space in the neighbourhood or a car park. This would be inappropriate parking but this issue can arise in many parts of the town with limited parking.

The affect on living conditions/impact on neighbouring residents is covered in Section 9 below. For the nearest Grays Place house adjacent the new building would affect its privacy; particularly the garden, but not unusually so for a town centre site. In terms of outlook from windows the building will not be directly in front of windows but it will dominate part of the outlook. Rivington Apartments has a greater dominating effect on the nearest Grays Place homes being taller and directly in front.

In terms of future occupants the applicant has not provided any details for this application. The applicant has been asked for details. However in terms of Planning matters ‘residential’ use is being applied for and there is no opportunity to control occupancy or for a decision to be influenced by occupants possible behaviour

6.0 **Consultation**

6.1 Traffic/ Highways

The proposal as originally submitted was recommended for refusal for reasons based upon cycle parking, footway width, pedestrian environment. These issues have been addressed.

- 6.2 However for the scheme to be acceptable conditions or planning obligations are required as follows :

Construct widened footway along the Mill St frontage.
Dedicate the land under the widened footway.
Financial contribution to fund changes to on-street parking restrictions and provision of car club bays;
Removal of existing vehicle crossover from Mill Street.

- 6.3 Nil parking for residents and one for servicing/visitors is acceptable subject to financial contributions referred to above and a restriction on residents gaining parking permits for street parking. Nil parking may cause parking on-street where there are limited or no controls (such as Petersfield Ave.). The contribution is needed to implement further residents parking controls and upgrade single yellow to double. It can also be used, in part, to introduce car-club on street bays to offer an alternative to owning a car.

- 6.4 Drainage

A drainage strategy is required including calculations, layout, soakage tests, confirmation of any sewer connections necessary. A sustainable urban drainage system is required unless there is proof it cannot be achieved. This can be covered by condition.

- 6.5 Environmental Quality (Contamination)

Request standard contamination conditions applied as the area has had an industrial use in the past.

- 6.6 Education

Request financial contribution towards new education facilities.

- 6.7 Housing

Request contribution towards affordable housing.

PART B: PLANNING APPRAISAL

- 7.0 **Policy Background**

- 7.1 The site is identified on the Proposals Map (2010) as an existing business area. Under Core Strategy policy 5 loss of employment uses in these areas is strongly resisted. The Site Allocations Development Plan 2010 identifies the site as part of Selected Key Location 3. Under Core Strategy policy 1 there is flexibility to relax the 'no loss of employment' requirement in identified Selected Key Locations if various site objectives listed in the Development Plan are achieved. Comprehensively planned development is

one objective.

- 7.2 The proposal is not a comprehensively planned scheme but this site has limited opportunity to be combined with an adjoining site to achieve a better scheme. Adjacent buildings are generally relatively new so owners will not be considering redevelopment. However replacement of the existing unsightly building would be advantageous for the streetscene. The current gym use is unlikely to employ many staff.
- 7.3 Core Strategy policy 6 states that all community facilities/services should be retained. If an exception is made and loss occurs a financial contribution towards other local community facilities/services is required. No alternative or compensatory facilities are proposed so the development does not comply with this policy. The loss of this small gym is unlikely to be significant in terms of overall leisure provision in the area. This loss need not therefore be considered a strong reason to reject the proposal provided the replacement development is good quality and well designed and assists local regeneration.
- 7.4 The lack of affordable housing means the scheme does not comply with Core Strategy policy 4. It requires 30 % of homes above 25 units to be social rent. A financial contribution instead of homes on site would be acceptable because of the small site and mostly one bed rooms are proposed. A financial contribution for the Council to spend off the site on affordable housing has been offered and agreed.
- 7.5 The offered financial contribution is not policy compliant but as the viability study concludes development is not viable without a reduction the offered contribution can be accepted in terms of compliance with Core Strategy policy 10. This is subject to full confirmation of 106 matters regarding the revised scheme.
- 7.6 Regarding contributions to recreation facilities the development is only just over the 25 unit threshold for seeking such contributions. As affordable housing is considered a greater need this contribution will not be pursued. Similarly for contributions towards the station north forecourt enhancement that have been collected from other larger schemes in the area in connection with increased travel demand.
- 7.7 The applicant is not the owner of the site. They are involved in housing in particular providing supported housing for adults but have not stated what type of accommodation is to be provided other than 'market housing'. In terms of planning rules 'residential use' is what is proposed and the type of occupants cannot be controlled.

8.0 **Access and Transport**

- 8.1 The single parking space is acceptable for this location. The site sits within the town centre of the Proposals Map regarding application of car parking standards. As the development consists of mostly one bedroom homes, is

not a very large scheme and is close to the station and town centre the lack of parking is acceptable. To avoid parking demand from the development increasing current parking problems in the area there will be a restriction on obtaining parking permits and a contribution towards parking controls/car club all secured via a Section 106 Planning Obligation. Use of the parking space for visitors/servicing can be secured by condition. Cycle storage detail is subject to Transport Section comments.

- 8.2 The widening of Mill Street footway is necessary because the current pinch point, on a street that has greater pedestrian flows than the past, makes it more convenient and safer to use. The widening would not disadvantage the scheme as it would still leave a suitable patio area in front of the adjacent flats. The widening is now shown on the revised layout.
- 8.3 Subject to a planning obligation to secure requested transport matters the proposal will comply with Core Strategy 7 Transport.

9.0 **Living Conditions and Residential Amenity**

- 9.1 Dealing first with privacy the distance between habitable room windows on the south elevation and the north elevation of the adjacent Rivington Apartments building is between 12 metres and 15.6 metres away. Normally 18 metres would be a minimum acceptable distance on the private side of a development to prevent excessive overlooking and loss of privacy to residents of both developments. However the windows that directly face the existing homes opposite are to have translucent panels. This will prevent overlooking. This can be secured by condition.
- 9.2 For the windows that face east or west (alongside the wall) an oblique view into existing homes would be possible but the shortest distance, at a 45 degree angle, is 18 metres which is acceptable.
- 9.3 The distance between the side of balconies (west end of building) and adjacent windows could create unacceptable overlooking opportunities but the proposed small screen at balcony ends will help address this.
- 9.4 At the front the distance between habitable room windows is 15 or 16 metres. Whilst this is below the desired 18 metres the 15/16 distance is found further along Mill Street and this distance is found elsewhere between frontages of some terraced housing. Although it should be noted houses usually have a rear elevation not affected by loss of privacy. Flats do not always have a dual aspect – windows both sides of the home.
- 9.5 On the northern side the distance between some windows and rooms in the nearby house in Grays Place is 14/15 metres. This is acceptable because it is an oblique view. There will however be a direct view into the garden area immediately to the rear of the house. A clear view from the balcony to house and garden will be partly blocked by a balcony end screen. The relationship to the rear of the nearest Grays Place house is acceptable only because of the town centre context i.e. many large

buildings with relatively small separation distances in comparison to suburban character development.

- 9.6 The view out from one set of windows toward Headington Place will enable windows to be seen 8 and 9 metres away but as the building is at 90 degrees to the proposed building overlooking opportunities are limited. Vertical fins are proposed for these windows to limit overlooking. Other north elevation windows will be translucent to prevent overlooking but let in light.
- 9.7 The light study concludes that whilst there are some below target results the proposal is acceptable for its context i.e. a town centre/high density area. Light standards are not statutory minimums and are to be treated flexibly in areas that already have dense development. Loss of light for the nearest homes in Greys Place has not been studied. They are near but not immediately behind the proposed building; they are off set to the north west. When looking out of the nearest window, at 90 degrees to it, the west edge of the new building will be visible 10 degrees to the left. Consequently whilst light from the south east might be reduced there is little chance of the houses not receiving sufficient light in accordance with accepted light standards.
- 9.8 Some existing homes will have less light than now but the assessment carried out concludes that the loss will not be great enough to fail the test reported in the assessment document. Some rooms in Headington and Noble Court will have more than the target level of sun light loss for one of the tests carried out but collectively, the scheme meets the relevant target standard.
- 9.9 Regarding the new flats all pass the day light test reported in the assessment. 3 rooms fail the sun light test.
- 9.10 The proximity of the building to the 9 storey building to the south inevitably means some new flats will not receive much sun light. The new building will also reduce light to existing homes adjacent as the larger building will intrude on the skyline seen by existing residents. The assessment concludes that the degree of light loss is acceptable. The Council's consultant concluded that the study's conclusion, for the earlier larger scheme, were reasonable.
- 9.11 The proximity of buildings and unusual arrangement of windows to light rooms mean some habitable rooms have a poor outlook. However the use of translucent panels in windows will be for non habitable rooms or secondary windows only. Consequently living conditions will be reasonable in the context of a town centre development.
- 9.12 Regarding the overbearing affect of a large building close to main windows the proposal, compared to the previous withdrawn scheme, is better in some respects but not others. The building is slightly further away from most homes to the south but it is higher. The new building being 4 storeys

higher than existing and so close to Rivington Apartments will have an overbearing effect on some existing flats particularly at first floor level. For homes opposite and in Grays Place the building will be have a significant effect on their outlook but is not sufficiently great to be considered overbearing in a town centre context.

- 9.13 Building so close to site boundaries along the side of the plot particularly if habitable room windows are near the boundary is not good practice. The windows rely upon borrowed light. This may limit redevelopment opportunities on adjoining sites in the future or cause conflicts where activities in the adjoining plot take place close to the boundary. Because the adjacent buildings are relatively new any redevelopment is likely to be in the distant future.
- 9.14 The amount of accommodation on the site is large for this narrow plot close to other buildings. There is no problem with the principle of reaching a height similar to that adjacent to the north and east i.e. 4 storey. However the size and positioning of the building and its windows are crucial to achieve a good design. It is a difficult site to get a lot of good quality homes on. The fact that surrounding sites have large buildings does not by itself mean this small site can have a large building.
- 9.15 The proposal relies upon some unusual room and window arrangements to achieve 27 homes on the site. Although it is approximately the same height as the previous application scheme it has more mass of building at the top level. Whilst it is generally not as close the site boundaries as the previous scheme some parts of it are closer particularly on the south side. It is however better, overall, than the scheme that came in when this application was first submitted.
- 9.16 Regarding Local Plan policy EN1 design and Core Strategy policy 9 Built Environment in terms of creating satisfactory living conditions and residential amenity, for existing and new residents, it is only just acceptable in terms of privacy and light. Similarly in terms of outlook from new homes the revised scheme is just acceptable. These acceptances take account of the sites town centre context . The overbearing effect on a few of the homes in Rivington Apartments is the most significant adverse effect. There are no standards relating to 'overbearing' as an adverse effect however it is considered the proposal does not quite comply with the above policies even taking into account the town centre context.
- 9.17 It is appropriate to also consider the benefits of accepting the proposal. Removal of the unsightly existing building would be beneficial for the image of the street – a route to the station that is likely to be used by more pedestrians in the future. However it is also relevant to point out that, as it is not a particularly prominent site, if it does stay as it is it will not have a major affect on the image of the wider neighbourhood. Increasing the stock of homes in the town is also a benefit.
- 9.18 Acceptance of the proposal should be conditional on installation of

essential privacy screens referred to, ensuring translucent window panels remain long term and good quality landscaping to relieve the dense nature of the proposal.

10.0 Other design and layout matters

- 10.1 Amenity space for the development is limited. This requirement, in terms of quantity of space, can be relaxed a bit to assist a successful redevelopment of the narrow site. Good quality landscape can make up for this.
- 10.2 The elevational treatment of the building is satisfactory in terms of appearance. It is a simple design in terms of form but the combination of material variations, projections, balconies and recessed windows create shadow and interest.
- 10.3 The through way along the south side of the building from Mill St to Grays Place is a potential crime problem. But the proposed gates dissuade unauthorised access. It can be fitted with an entry system to secure the area if problems occur.
- 10.4 The proposal complies with Local Plan policy EN1 design in terms of appearance and amenity; Core Strategy policy 9 Natural and built environment; policy 12 community safety. Core Strategy policy 8 Sustainability, in terms of surface water drainage, is complied through application of a condition. The submitted drainage scheme is not detailed enough to show how a satisfactory drainage scheme can be constructed.

11.0 Section 106 Planning Obligation Matters

- 11.1 Subject to confirmation of the financial contribution negotiated the package below if agreed will comply with Core Strategy policy 10 Infrastructure and policy 4 type of housing :
- Financial contribution towards affordable housing
 - A financial contribution for transport (parking controls and car club parking bay).
 - Residents excluded from being eligible for existing or any future on-street resident parking permit scheme.
 - Sign Sec. 278 Highway Agreement for works within the Highway
 - Widen Mill St footway and dedication of it as public highway maintainable at public expense.
 - Financial contribution towards education facilities.
 - Provision for a development viability review mechanism if a substantial start on construction is not made by a set date. The

review would take account of costs and values to establish if a greater Section 106 package could be afforded closer to the Council's normal policy requirements.

11.2 The education and transport obligations are necessary for the development to go ahead as they address infrastructure associated with the development and potential adverse impacts of the development. The affordable housing contribution is a policy requirement and is a benefit for the town. The viability study has been checked by the Council's Asset Management Section.

11.3 The applicant has been offered the opportunity to consider reduction of the planning obligation financial contributions if the size of the building is reduced sufficiently to overcome the key outstanding concerns. To make a significant difference a full storey (i.e. not the top floor) needs to be removed. The applicant has not taken up this offer.

12.0 **Conclusion**

12.1 In conclusion the principle of redevelopment and residential use is supported and a building larger than the existing one is also acceptable in principle. However the size of this particular proposal, as revised, and the arrangement of its rooms and windows etc. plus proximity to site boundaries and other buildings means it results in living conditions and residential amenity for new and existing residents that are only just acceptable. The combination of low levels of light and overbearing effect on some Rivington Apartment flats is the most significant adverse effect of the development.

12.2 Because of the difficulty in achieving a viable development on a small, narrow site close to large buildings some compromise regarding living standards may be acceptable if this is the only way to achieve redevelopment for a better looking building than the existing one. This is the justification for recommending approval. It needs to be noted this justification is relevant only to this particular scheme and its circumstances. It should not be used by other developers as a precedent for their unsatisfactory schemes.

12.3 If removal of the existing building is not considered a particular benefit the adverse effects of the building referred to above would be sufficient grounds to refuse the application.

12.4 The policies regarding loss of leisure facilities and an employment use are not fully met but this need not be a significant issue if the proposal is acceptable in terms of design and use and can clearly be seen to assist in regeneration of the area.

12.5 The proposal is only acceptable if a contribution is made to affordable housing, education facilities and some transport matters as listed above plus provision for a viability review referred to in para. 11.1.

PART C: RECOMMENDATION

13.0 **Recommendation**

Delegate to Planning Manager for approval subject to completion of a satisfactory Sec 106 planning obligation agreement and alteration or addition of conditions.

14.0 **PART D: LIST OF CONDITIONS.**

1. Commence

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:

Drawing Numbers

Location 500673/OS01

Roof and Site Plan 500673_PL_04_01 Rev E Recvd 22/12/16

Ground Floor Plan 500673_PL_04_02 Rev E Recvd 22/12/16

First Floor 500673_PL_04_03 Rev E Recvd 22/12/16

Second Floor 500673_PL_04_02 Rev E Recvd 22/12/16

Third Floor 500673_PL_04_05 Rev E Recvd 22/12/16

Fourth Floor 500673_PL_04_06 Rev E Recvd 22/12/16

Fifth Floor 500673_PL_04_07 Rev E Recvd 22/12/16

Roof Plan 500673_PL_04_08 Rev E Recvd 22/12/16

Site Plan 500673_PL_04_09 Rev E Recvd 22/12/16

Front and Side (south) elevation 500673_PL_05_01 Rev D Recvd
05/01/17

Rear and Side (north) elevation 500673_PL_05_02 Rev C Recvd
22/12/16

Schedule of Accommodation 500673_PL_06_01 Rev B Recvd
22/12/16

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. Details Samples of materials

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

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

4. Lighting Scheme

The building shall not be occupied until external lighting along the south side of the site has been installed in accordance with detail that shall have first been submitted to and approved in writing by the Local Planning Authority. The lighting shall thereafter be retained and maintained as installed.

REASON In the interest of crime prevention in accordance with Core Strategy 2006-2026 policy 12.

5. Bin storage

No dwelling shall be occupied until the approved bin store has been constructed. The approved store shall be retained at all times in the future for this purpose.

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

6. Cycle parking

Construction of the building shall not commence until details of the cycle parking stands and lockers on the approved layout have been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with these details prior to the occupation of the development and shall be retained at all times in the future for this purpose.

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

7. Boundary treatment

No dwelling shall be occupied until boundary treatment has been implemented on the site in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. Details shall include the position, appearance, height and materials to be used and including gates and bollards shown on the approved layout. The boundary treatment shall be retained and maintained as installed thereafter.

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

8. Landscaping Scheme

Construction of the building shall not commence on site until a detailed landscaping and tree planting scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme should include type, density, position and planting heights of new trees and shrubs.

The approved scheme shall be carried out no later than the first planting season following completion of the development. Within a five year period following the implementation of the scheme, if any of the new 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.

9. Parking

The building shall not be occupied until the parking space on the approved plans has been constructed and marked out as a visitors parking space for visitors to the building only. The space shall be retained at all times in the future for the parking of motor vehicles.

REASON To ensure that adequate on-site parking provision is available to serve the development and to protect the amenities of the area in accordance with Policy 10 of the adopted Core Strategy for Slough 2006-2026.

10. Surface Water Drainage

Construction of the development shall not commence until details of the surface water drainage system have been submitted to and approved in writing by the Local Planning Authority. The details shall include future maintenance of the system. The drainage system shall be completed in accordance with those details prior to the occupation of any dwelling. The system will require attenuation of surface water on site. The drainage system shall be installed, retained and maintained in accordance with the approved details.

REASON To prevent the increased risk of flooding and pollution of the water environment.

11. Restricted view windows/balconies

No construction work above damp proof course level of the building shall commence until details of restricted view windows (marked RCT or frosted or external fins on the approved floor plans) and screens at balcony ends shown on the approved elevation drawings have been submitted to and approved in writing by the Local Planning Authority. The restricted view windows and screens on balconies shall be installed prior to first occupation of the associated dwelling and retained and maintained thereafter.

REASON In the interest of the living conditions of nearby residents.

12. External Appearance Details

No construction works above damp proof course level of the building shall commence until detailed elevational and section drawings of windows, doors, eaves and balconies of the building have been submitted to and been approved in writing by the Local Planning Authority. The drawings shall be at 1:100 scale. No dwelling shall be occupied until windows, doors, eaves and balconies have been constructed/installed in accordance with the approved details.

REASON In the interest of visual amenity.

13. Off Site Highway Works

No apartment shall be occupied until off site highway works have been carried out in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority prior to commencement of any development. The off site works shall comprise :

- Installation of street lighting modifications (as necessary);
- Drainage connections (as necessary);
- Reinstatement of the existing crossover as footway;
- Reconstruction of footway fronting the application site;
- Widening the footway fronting the site in accordance with the approved layout.

REASON In the interest of conditions of general safety on the adjacent highway network.

14. Construction Management Plan

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 during the construction period (1) to accommodate all site operatives', visitors' and construction vehicles loading, off-loading, parking and turning

within the site and (2) for construction vehicle wheel cleaning. 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. Phase 1 Desk Study

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

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

16. Soil Phase 2 Intrusive Investigation Method Statement

Should the findings of the Phase 1 Desk Study approved pursuant to the Phase 1 Desk Study condition identify the potential for contamination, development works shall not commence until an Intrusive Investigation Method Statement (IIMS) has been submitted to and approved in writing by the Local Planning Authority. The IIMS shall be prepared in accordance with current guidance, standards and approved Codes of Practice including, but not limited to, BS5930, BS10175, CIRIA 665 and BS8576. The IIMS shall include, as a minimum, a position statement on the available and previously completed site investigation information, a rationale for the further site investigation required, including details of locations of such investigations, details of the methodologies, sampling and monitoring proposed.

REASON: To ensure that the type, nature and extent of contamination present, and the risks to receptors are adequately characterised, and to inform any remediation strategy proposal and in accordance with Policy 8 of the Core Strategy 2008.

17. Soil Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy

Development works shall not commence until a quantitative risk

assessment has been prepared for the site, based on the findings of the intrusive investigation. The risk assessment shall be prepared in accordance with the Contaminated Land report Model Procedure (CLR11) and Contaminated Land Exposure Assessment (CLEA) framework, and other relevant current guidance. This must first be submitted to and approved in writing by the Local Planning Authority and shall as a minimum, contain, but not limited to, details of any additional site investigation undertaken with a full review and update of the preliminary Conceptual Site Model (CSM) (prepared as part of the Phase 1 Desk Study), details of the assessment criteria selected for the risk assessment, their derivation and justification for use in the assessment, the findings of the assessment and recommendations for further works. Should the risk assessment identify the need for remediation, then details of the proposed remediation strategy shall be submitted in writing to and approved by the Local Planning Authority. The Site Specific Remediation Strategy (SSRS) shall include, as a minimum, but not limited to, details of the precise location of the remediation works and/or monitoring proposed, including earth movements, licensing and regulatory liaison, health, safety and environmental controls, and any validation requirements. REASON: To ensure that potential risks from land contamination are adequately assessed and remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use and in accordance with Policy 8 of the Core Strategy 2008.

18. Soil Remediation Validation

No development within or adjacent to any area(s) subject to remediation works carried out pursuant to the Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy condition shall be occupied until a full validation report for the purposes of human health protection has been submitted to and approved in writing by the Local Planning Authority. The report shall include details of the implementation of the remedial strategy and any contingency plan works approved pursuant to the Site Specific Remediation Strategy condition above. In the event that gas and/or vapour protection measures are specified by the remedial strategy, the report shall include written confirmation from a Building Control Regulator that all such measures have been implemented.

REASON: To ensure that remediation work is adequately validated and recorded, in the interest of safeguarding public health and in accordance with Policy 8 of the Core Strategy 2008.

INFORMATIVE(S):

1. The applicant is reminded that an Agreement under Section 106 of the Town and Country Planning Act 1990 has been entered into with regards to the application hereby approved.
2. Highway Matters To be completed

3. Hours of Construction.

During the demolition and construction phase of the development hereby permitted the developer is asked to ensure that no work 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 Holiday