

Registration Date:	28-Sep-2016	Application No:	S/00731/000
Officer:	Mark Doodes	Ward:	Cippenham Green
Applicant:	Mr. Mike Broom, Slough Borough Council Housing	Application Type:	Minor
		13 Week Date:	
Agent:	Mr. Derek Hampshire, The AED Practice Rockwell House, Wartling Hill, Wartling, East Sussex, BN27 1RY		
Location:	Land Adjacent To, 7, Moreton Way, Slough, SL1 5LS		
Proposal:	Demolition of existing garages and construction of 4 two storey three bedroom houses with associated parking		

Recommendation: Approve, subject to conditions



1.0 **SUMMARY OF RECOMMENDATION**

- 1.1 This application has been referred to the Planning Committee for consideration as the application is made by the Council on it's land and has attracted an objection.
- 1.2 Having considered the relevant policies set out below, the representations received from consultees and all other relevant material considerations (including the objection mentioned above), it is recommended that the application be approved subject to conditions.

PART A: BACKGROUND

2.0 **Proposal**

- 2.1 This is a full planning application for the proposed erection of two pairs of semi detached dwellings (total of four units) on a brownfield site presently occupied by garages close to the junction with Barnfield. The proposed development would provide family accommodation in the form of four three bed units arranged over two floors. (Class C3).
- 2.2 Associated car parking provision would be provided in front of the units. A total of eight spaces are provided mostly arranged in a small courtyard.
- 2.3 The Garden sizes vary between 9m and 10.2m. Sheds and a patio area are provided for each unit. Close boarded fencing provides the rear boundary treatment.
- 2.4 The homes are designed to respond to the prevailing character of the area and feature low eaves lines (5m), deep hips running to a 7.5m ridge,, small windows and overhanging porches. The roof material will be concrete roof tiles and the facing material will be coloured render.
- 2.5 The proposals involve the creation of a new highway cross-over to facilitate access to two parking spaces. This work requires the use of 3rd party land (Highways Land) for which a crossing licence is required.

3.0 **Application Site**

- 3.1 The site of the proposed development comprises an existing array of 26 garages arranged in two parallel rows. The site is enclosed on all sides by existing homes and private gardens.
- 3.2 Housing opposite the site has a minimum separation of 20m. The area is not within a Conservation Area and there are no Heritage Assets nearby.
- 3.3 The surrounding area is entirely residential in nature.

Site History

None

4.0 **Neighbour Notification**

4.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015, a site notice was displayed and all abutting and facing properties were notified of the proposals.

4.2 One objection received from number 2 Moreton Way (opposite the site). The objection refers to concerns regarding overlooking, loss of outlook, the impact of new residents in terms of noise and disturbance and the alleged impact on property values.

5.0 **Consultation**

5.1 Transport and Highways – No objection but a number of comments see below.

5.2 Tree Officer – No Comments

5.3 Air Quality – No Comments

5.4 Environmental Quality – Condition advised regarding contaminated land

6.0 **PART B: PLANNING APPRAISAL**

6.1 **Policy Background**

6.2 The following policies are considered the starting point for assessment of this application:

The National Planning Policy Framework and the Technical Guidance to The National Planning Policy Framework

Paragraphs 6, 7, 17, 50 and 111.

The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, 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 12 – Community Safety

The Local Plan for Slough, Adopted March 2004

- Policy H10 – Minimum Density
- Policy H14 – Amenity Space
- Policy EN1 – Standard of Design
- Policy EN5 – Design and Crime Prevention
- Policy T2 – Parking Restraint
- Policy T8 – Cycling Network and Facilities

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. Paragraph 215 of 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.

Other relevant documents

- Slough Local Development Framework, Site Allocations, Development Plan Document (adopted November 2010)
- Slough Local Development Framework Proposals Map
- Slough Borough Council Developer's Guide Parts 1-4
- Guidelines for the Provision of Amenity Space Around Residential Properties (January 1990)
- Guidelines for Flat Conversions (April 1992)

6.3

The main planning issues relevant to the assessment of this application are considered to be as follows:

- 1) Principle of development;

- 2) Design and Impact on the street scene;
- 3) Relationship with and potential impact on neighbouring properties;
- 4) Amenity space for residents;
- 5) Parking and highway safety.

7.0 **Principle of Development**

- 7.1 The proposed development would be carried out on land which has been previously developed and is within an established residential area. Paragraphs 17 and 111 of the Framework expect Authorities to encourage the recycling of brownfield land to reduce the demand for greenfield sites and to assist (more broadly) in urban regeneration.
- 7.2 Core Policy 1 of the Core Strategy sets out the overarching spatial strategy for development within the Borough. Core Policy 4 of the Core Strategy sets out the Council's approach to the consideration of proposed housing development within the Borough. This policy states that in the urban areas outside 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.
- 7.3 The proposals make no conflict with policies CP1 and CP4. The loss of the off-street parking is noted, however such parking provision is often under-used for the purpose it was originally intended for. This is a product of a number of factors such as lifestyle changes, modern cars not requiring daily garaging, the preference for use of garages for ancillary storage etc. occupancy rates are also lower, based on informally discussions with property colleagues. Therefore it is highly unlikely that the loss of this garaging will have a significant negative effect on the parking in the locality.
- 7.4 Indeed there are benefits identifiable in removing opportunities for petty crime, and an overlooked space where anti-social behaviour can potentially take place. There are, therefore, some potential unintended benefits to the proposals beyond the delivery of much needed new social housing.
- 7.5 Surrounding development is homogenous and consist of family housing arranged over two floors with the design characteristics featured in the design characteristics featured in the proposals.
- 7.6 The proposals would be at a density related to the character of the surrounding area. The location is sustainable and has a range of existing local services, facilities and infrastructure that need not be listed in this report. The proposal would also increase the supply of family housing, albeit by a modest number, assisting the Borough in achieving government targets.
- 7.7 The proposed flats would be acceptable in principle and would comply with Core Policies 1, 3 and 4 of the Core Strategy. Government places significant weight to the deliver of all forms of housing and in particular for social

housing which has seen a national decline in delivery since changes in government policy requirements for smaller developments came into effect.

7.8 Principle of development conclusion - Whilst the parking and highway impact of the loss of the existing off-street car parking is assessed below there is considered to be no in principle objection to the proposed development being carried out on this land.

8.0 **Design and Impact on the Street Scene**

8.1 The thrust of Policy EN1 of the Adopted Local Plan for Slough and Core Policy 8 of the Core Strategy is that the design of proposed residential development should be of a high standard of design and reflect the character and appearance of the surrounding area.

8.2 The proposed buildings would be two storeys in height. The two pairs would be constructed of facing render some brick quoining and concrete tiles. It is considered that the materials proposed would be in keeping with the materials found in the locality.

8.3 The proposal would respect building line and would be of a high quality design and appearance. No nearby residential home has a right to a view over the site. This factor has been assigned only limited weight in so far as overlooking and overshadowing. Neither of these factors are considered to raise any concerns. The proposed development is considered to be acceptable in design and street scene terms and would comply with Core Policy 8 of the Core Strategy; Policy EN1 of The Adopted Local Plan for Slough; and the National Planning Policy Framework.

9.0 **Relationship With and Potential Impact on Neighbouring Properties**

9.1 The main impact on neighbouring occupiers would relate to separation distances between existing and proposed housing and any resultant overlooking, overshadowing and over dominance.

9.2 Core Policy 8 of The Core Strategy states that all development will be of a high quality and respect its location and surroundings. This policy also states that the design of all development within the existing residential areas should respect the amenities of adjoining occupiers.

9.3 Due to the particular idioms of the site and the linear nature of the scheme, there are not considered to be any such issues since any overlooking relationships already exist in the area. Angled views from 1st floor windows will provide views into neighbouring properties further along Moreton Way and visa-versa but this is a characteristic of the wider estate and the proposals reflect the same overlooking. Other properties require more consideration (below).

9.4 The guidelines set out in The Slough Local Development Framework

Residential Extensions Guidelines Supplementary Planning Document regarding generally acceptable separation distances within a residential context are considered to be of relevance. Whilst the Guidelines relate principally to extensions to residential properties, the additional guidance contained within the supplementary planning document informs the interpretation and implementation of relevant development plan policies for developments in residential areas.

9.5 The guidelines require that a minimum separation distance of 15 metres is maintained in the case of a flank wall/primary elevation and 21 metres in the case of a primary elevation/primary elevation relationship. Guidelines relating to the application of the 45 degree vertical plane are also considered to be of relevance.

9.6 *Relationship with development to the rear of Numbers 3-9 Barnfield Road:*

9.7 The submitted plans show that the proposed development would maintain an 16-18 metre gap between the rear elevation of the site boundary. The proposals would not dominate or overshadow these properties unduly. The separation distances are acceptable and it is noted that there are no overlooking windows on the side elevations. No conflict is found with these units.

9.8 *Relationship with the homes opposite the site:*

The front elevation of the dwellings opposite is 24m distant. Applying the standards contained within The Slough Local Development Framework Residential Extensions Guidelines Supplementary Planning Document, a separation distance of 21 metres between opposing primary elevations should normally be maintained. The proposals accord with policy CP8 Slough Local Development Framework, Core Strategy 2006 – 2026.

9.9 It is considered that the proposed development would be acceptable and would comply with Core Policy 8 of the Core Strategy and the National Planning Policy Framework (NPPF).

10.0 **Amenity Space for Residents**

10.1 The depth of rear gardens is generous and matches those in the area and is above the required standard. This factor will provide a good quality of life for prospective residents both indoor and outdoor.

10.2 It is considered that the proposal would comply with Core Policy 8 of the Core Strategy, Policy H14 of The Adopted Local Plan for Slough and the National Planning Policy Framework.

11.0 **Parking and Highway Safety**

11.1 Core Policy 7 of the Core Strategy sets out the Planning Authority's approach to the consideration of transport matters. The thrust of this policy is to ensure that new development is sustainable and is located in the most accessible

locations, thereby reducing the need to travel.

- 11.2 Policy T2 of The Adopted Local Plan for Slough 2004 seeks to restrain levels of parking in order to reduce the reliance on the private car through the imposition of parking standards. Policy T2 states two off road spaces are expected:
- 11.3 The site is considered to be within a sustainable residential area with good access to bus and cycle routes. No additional parking is required.
- 11.4 The Highways Authority have raised a number of points including; details of visibility splays for the new entrance. This will result in a minor design change to ensure that there is no pedestrian conflict in the form of moving the spaces north and reducing the pathway in width.
- 11.5 The Highways Authority seeks confirmation that the garages are not in use for car parking. Overall the LPA are satisfied that this type and form of car parking is unappealing and under used for modern purposes where modern cars are used on a daily basis and are not prone to rusting. This condition request has not been transferred to the consent.

12.0 **Waste provision**

- 12.1 Suitable space at the rear of each property has been provided for the storage of bins and side alleys ways are provided to bring bins to the kerbside for collection. No concerns are raised.

13.0 **Utilities**

- 13.1 All key utilities are available in the area including power, gas, broadband, telephone and sewage. Each statutory provider has its own processes in place to provide these services. There is no evidence that there are any bottlenecks, shortfalls or capacity issues with these services based on officer experience.

14.0 **Process**

- 14.1 In dealing with the application, the Local Planning Authority has worked with the applicant in a positive and proactive manner. The development is considered to be sustainable and in accordance with the requirements of the National Planning Policy Framework.

15.0 **Summary**

- 15.1 The proposal has been considered against relevant development plan policies, and regard has been had to the comments received, and all other relevant material considerations. The quality of life of nearby existing residents will not be unduly prejudiced and must also be balanced against the significant benefits of the scheme in terms of the provision of new (much

needed) social housing.

15.2 The proposal will provide economic gains (through demolition and construction jobs), social gains (new family social housing) and environmental benefits (loss of unattractive area and likely surface water betterment). The proposals are an efficient use of brownfield land.

15.3 It is recommended that the application be approved subject to conditions.

16.0 **PART C: RECOMMENDATION**

16.1 **Recommendation**

16.2 Approve subject to conditions.

PART D: CONDITIONS:

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

REASON To prevent the accumulation of planning permissions, and to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be implemented only in accordance with the following plans and drawings hereby approved by the Local Planning Authority:
SB1614/PL09 Rev C
SB1614/PL10 Rev D
SB1614/PL01 Rev A
SB1614/PL07 Rev G all plans are visible on the Slough Website

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. The external materials to be used on the development hereby approved shall match those found nearby and 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. The Development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the

application site and the development. Any security measures to be implemented in compliance with this condition shall seek to achieve the 'Secured by Design' accreditation awarded by Thames Valley Police.

REASON In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000; in accordance with Core Policy 12 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 and to reflect the guidance contained in The National Planning Policy Framework.

5. It is suspected that this site and/or nearby land and water may be contaminated as a result of former use(s). Prior to the commencement of the development a phased risk assessment shall be carried out by a competent person in accordance with current government and Environment Agency Guidance and Approved Codes of Practice, such as CLR11, BS10175, BS5930 and CIRIA 665. Each phase shall be submitted in writing and approved by the LPA.

Phase 1 shall incorporate a desk study and site walkover to identify all potential contaminative uses on site, and to inform the conceptual site model. If the potential for contamination is identified in Phase 1 then a Phase 2 investigation shall be undertaken.

Phase 2 shall include a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform any remediation strategy proposal. If significant contamination is found by undertaking the Phase 2 investigation then Phase 3 shall be undertaken.

Phase 3 shall include a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use. This shall be submitted and approved in writing by the LPA prior to commencement. The remediation shall be carried out in accordance with the approved scheme and the applicant shall provide written verification to that effect.

The development shall not be occupied until any approved remedial works, have been carried out and a full validation report has been submitted and approved to the satisfaction of LPA. In the event that gas protection is required, all such measures shall be implemented in full and confirmation of satisfactory installation obtained in writing from a Building Control Regulator.

REASON To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document,

December 2008.

6. Full details of the surface water disposal, including the levels on the frontage parking shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development hereby approved. Details of suitability of the soil for soakaway purposes are required as part of this condition. Once approved, the details shall be fully implemented prior to the first occupation of the dwellings and retained as such thereafter.

REASON In the interests of drainage in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

7. No part of the development shall be occupied until the pedestrian visibility splays of 2.4x2.4 metres (measured from the back of footway) have been provided on both sides of the access and the area contained within the splays shall be kept free of any obstruction exceeding 600 mm in height above the nearside channel level of the carriageway.

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

8. No part of the development shall be occupied until the new means of access has been altered in accordance with details to be approved prior to commencement and constructed in accordance with Slough Borough Council's Design Guide.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development

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

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

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

REASON In the interests of the amenities of the area in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

INFORMATIVES:

1. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.
2. The applicant will need to apply to the Council's Local Land Charges on 01753 875039 for street naming and/or numbering of the unit/s.
3. The development must be so designed and constructed to ensure that surface water from the development does not drain onto the highway or into the highway drainage system.
4. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority.
5. No water meters will be permitted within the public footway. The applicant will need to provide way leave to Thames Water Plc for installation of water meters within the site.
6. The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the Environment Agency will be necessary.
7. The applicant must apply to the Highway Authority for the implementation of the works in the existing highway. The council at the expense of the applicant will carry out the required works.
8. The applicant will need to take the appropriate protective measures to ensure the highway and statutory undertakers apparatus are not damaged during the construction of the new unit/s.
9. Prior to commencing works the applicant will need to enter into a Section 278 Agreement of the Highways Act 1980 / Minor Highway Works Agreement with Slough Borough Council for the implementation of the works in the highway works schedule.