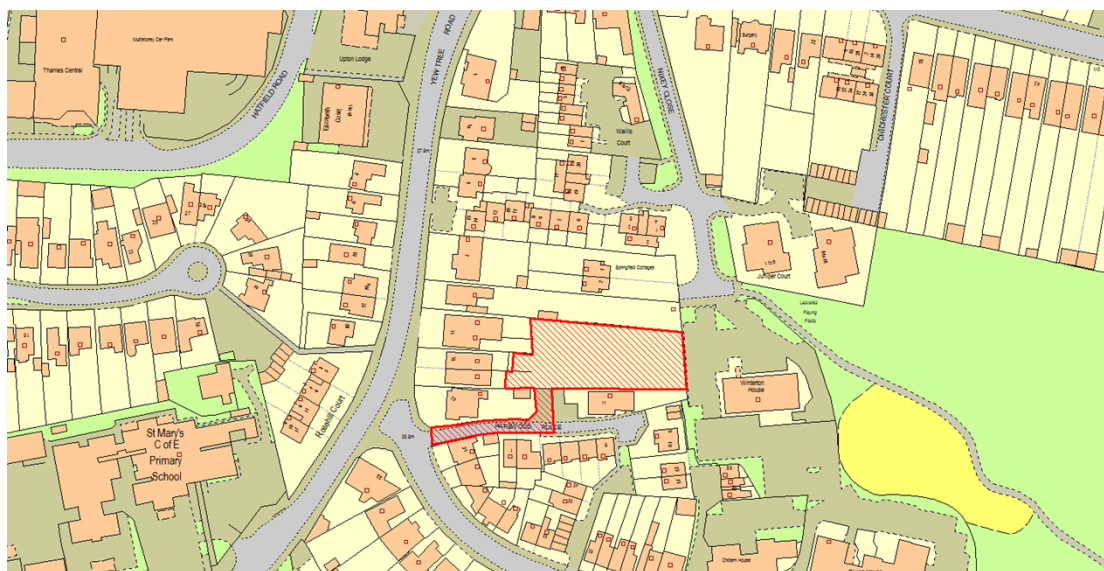


Registration Date:	04-Jan-2017	Application No:	P/13519/006
Officer:	Christian Morrone	Ward:	Upton
Applicant:	Ron Hothi, Mr Sawaron Singh Hothi	Application Type:	Major
		13 Week Date:	5 April 2017
Agent:	Mr. Albert Ogunsanya, Zyntax Chartered Architects 8, Arborfield Close, Slough, SL1 2JW		
Location:	Land at rear of, 11, 15 and 17, Yew Tree Road, Slough, Berkshire, SL1 2AA		
Proposal:	Construction of a 2.5 storey block to accommodate 12no flats with 1no. studio flat, 8no. one bedroom flats, 5 no. two bedroom flats with associated works. (Outline application to assess access, layout and scale).		

**Recommendation:** Delegate to Planning Manager for Approval



## 1.0 **SUMMARY OF RECOMMENDATION**

- 1.1 Having considered the relevant policies set out below, and all other relevant material considerations it is recommended this Outline Planning Application be delegated to the Planning Manager for **approval** subject to revised plans to address neighbour amenity issues, consideration of any substantive objections or requirements from the Local Highway Authority, the Lead Flood Authority, the Crime Prevention Design Advisor, the satisfactory completion of a Section 106 agreement, and finalising conditions.
- 1.2 This application is to be determined at Planning Committee as it is an application for a major development comprising more than 10 dwellings.

## **PART A: BACKGROUND**

### 2.0 **Proposal**

- 2.1 This is a outline planning application for access, layout and scale for:
- Construction of a three storey block to accommodate 12 residential units of the following mix:
    - 3No. 3 bed flats with private gardens
    - 4No. 2 bed flats
    - 4No. 1 bed Flats
    - 1No. Studio
  - Vehicular access from Harewood Place
  - 21 car parking spaces
  - Shared amenity space and designated secure storage sheds
  - The scheme has been revised from a proposed 14 units to 12 units
  - Appearance and landscaping to be dealt with by reserved matters

### 3.0 **Application Site**

- 3.1 This is a backland site that was formerly rear gardens belonging 11, 15 and 17 Yew Tree Road, (based on aerial photography from 2003). More recently the site has acquired planning permission for development for one scheme of 12 flats (ref. P/13519/001) and scheme of 4 family houses. The site has been partially cleared, including trees. The rear gardens to nos. 11, 15 and 17 Yew Tree Road have been reduced in depth, to facilitate the site. The depth of the retained gardens is consistent with other earlier back land development schemes rear of 7 and 19 Yew Tree Road and that which has been approved to the rear of 9 Yew Tree Road
- 3.2 To the west of the site are the existing character properties in Yew Tree Road. No.

11 Yew Tree Road is a substantial detached property which has been extensively extended and operates as a Guest House. Nos. 15 and 17 Yew Tree Road are a pair of semi detached residential properties. To the east of the site is Winterton House, a three-story building with on site car parking, which has recently been granted prior approval for a change of use to from offices<sup>19</sup> residential flats. To the north of the site is the rear garden of 9 Yew Tree Road, the owner of which has obtained planning permission for a detached house, and which is under construction and accessed from Nixey Close. Immediately adjoining the site to the south is 11 Harewood Place, a two storey block of 4 no. flats. Harewood Place itself is a private road, with a narrow footway.

- 3.3 The application site positioned close to the designated town centre to the northwest and Sussex Place/Clifton Road Conservation Area to the east. Owing to the site's close proximity to the town centre, flatted development, guest houses, and family housing, the site is located in a transitional urban/suburban area is considered to be partly urban and partly suburban in character.

#### **4.0 Relevant Site History**

- 4.1 P/13519/004 OUTLINE APPLICATION FOR THE CONSTRUCTION OF A THREE STOREY BLOCK TO ACCOMMODATE 9 NO. ONE BEDROOM FLATS AND 5 NO. TWO BEDROOM FLATS WITH ASSOCIATED WORKS.  
Withdrawn by Applicant
- P/13519/004 REMOVAL OF CONDITION 17 OF PLANNING PERMISSION REFERENCE P/13519/003 DATED 18TH FEBRUARY 2014.  
Approved with Conditions; Informatives 20-Feb-2015
- P/13519/003 ERECTION OF 2 NO. PAIRS OF 2 STOREY 3 BEDROOM SEMI-DETACHED HOUSES WITH PITCHED ROOFS. ACCESS FROM HAREWOOD PLACE TOGETHER WITH ON SITE CAR PARKING FOR 8 NO. CARS.  
Approved with Conditions; Informatives 18-Feb-2014  
**[Not implemented but still extant]**
- P/13519/002 ERECTION OF TWO AND HALF STOREY BUILDING TO PROVIDE TWELVE NO. FLATS COMPRISING NINE NO. TWO BEDROOM AND THREE NO. ONE BEDROOM FLATS TOGETHER WITH PARKING AND WORKS TO EXISTING ACCESS  
Withdrawn by Applicant 17-Mar-2009
- P/13519/001 ERECTION OF A TWO AND A HALF STOREY BUILDING TO PROVIDE 12 NO. FLATS COMPRISING 7 NO. ONE BEDROOM AND 5 NO. TWO BEDROOM FLATS TOGETHER WITH PARKING AND WORKS TO EXISTING ACCESS  
Approved with Conditions; Informatives 15-Jan-2008  
**[Application has expired]**

## 5.0 Neighbour Notification

- 5.1 19A, Upton Road, Slough, SL1 2AA, 10, Harewood Place, Slough, SL1 2AB, 9, Harewood Place, Slough, SL1 2AB, 2, Nixey Close, Slough, SL1 1NG, 1, Nixey Close, Slough, SL1 1NG, 6, Nixey Close, Slough, SL1 1NG, 4, Juniper Court, Nixey Close, Slough, SL1 1NU, 5, Juniper Court, Nixey Close, Slough, SL1 1NU, 6, Juniper Court, Nixey Close, Slough, SL1 1NU, 7, Juniper Court, Nixey Close, Slough, SL1 1NU, 1, Juniper Court, Nixey Close, Slough, SL1 1NU, 2, Juniper Court, Nixey Close, Slough, SL1 1NU, 3, Juniper Court, Nixey Close, Slough, SL1 1NU, 12, Juniper Court, Nixey Close, Slough, SL1 1NU, 13, Juniper Court, Nixey Close, Slough, SL1 1NU, 14, Juniper Court, Nixey Close, Slough, SL1 1NU, 15, Juniper Court, Nixey Close, Slough, SL1 1NU, 8, Juniper Court, Nixey Close, Slough, SL1 1NU, 9, Juniper Court, Nixey Close, Slough, SL1 1NU, 10, Juniper Court, Nixey Close, Slough, SL1 1NU, 11, Juniper Court, Nixey Close, Slough, SL1 1NU, 16, Juniper Court, Nixey Close, Slough, SL1 1NU, 17, Juniper Court, Nixey Close, Slough, SL1 1NU, 18, Juniper Court, Nixey Close, Slough, SL1 1NU, 8, Nixey Close, Slough, SL1 1NG, 9, Nixey Close, Slough, SL1 1NG, 12, Nixey Close, Slough, SL1 1NG, 1, Springfield Cottages, Nixey Close, Slough, SL1 1LU, Flat 4, 11, Harewood Place, Slough, SL1 2AB, Flat 1, 11, Harewood Place, Slough, SL1 2AB, Flat 2, 11, Harewood Place, Slough, SL1 2AB, Flat 3, 11, Harewood Place, Slough, SL1 2AB, 5, Harewood Place, Slough, SL1 2AB, Morley & Scott, Winterton House, Nixey Close, Slough, SL1 1ND, 5, Nixey Close, Slough, SL1 1NG, 15, Nixey Close, Slough, SL1 1NG, 3, Harewood Place, Slough, SL1 2AB, 7, Yew Tree Road, Slough, SL1 2AA, 1, Harewood Place, Slough, SL1 2AB, 7, Nixey Close, Slough, SL1 1NG, 3, Nixey Close, Slough, SL1 1NG, 10, Nixey Close, Slough, SL1 1NG, 11, Nixey Close, Slough, SL1 1NG, 21, Upton Road, Slough, SL1 2AD, 14, Nixey Close, Slough, SL1 1NG, 9, Yew Tree Road, Slough, SL1 2AA, 6, Harewood Place, Slough, SL1 2AB, 23, Upton Road, Slough, SL1 2AD, 4, Nixey Close, Slough, SL1 1NG, 19, Upton Road, Slough, SL1 2AD, 4, Harewood Place, Slough, SL1 2AB, 2, Harewood Place, Slough, SL1 2AB, Autumn End, Nixey Close, Slough, SL1 1LU

Neighbour letters were sent out on 17/01/2017.

In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015, two site notices were displayed outside the site on 07/02/2017. The application was advertised as a major application in the 17/02/17 edition of The Slough Express.

The Consultation period closes on 10/03/2017. Five letters of representation have been received, objecting to the proposal on the following grounds:

- Traffic generation
- Highway safety
- Access road too narrow
- Access to site conflicts with existing parking spaces to flats in Harewood Place
- Pedestrian safety – particularly small children the elderly

- Insufficient parking
- Noise and pollution from vehicles coming and going
- Out of scale with the neighbouring houses
- Disruption from construction works
- Access should be from Nixey Close
- Overdevelopment
- Loss of light to neighbouring windows
- Incorrect details on application form

Officer response: These issues are addressed within the relevant section further in the Officer's report.

## **6.0 Consultation Responses**

### **6.1 Archaeology Officer:**

No objection subject to a condition to carryout a phased programme of archaeological work.

### **6.2 Thames Water**

No objection subject prior approval from Thames Water if connecting into a main sewer.

### **6.3 Crime Prevention Design Advisor**

No comments received. Any comments received will be reported on the amendment sheet.

### **6.4 Neighbourhood Protection**

Recommends conditions to control noise and waist during the construction and for the submission of external lighting details.

### **6.5 Contaminated Land**

The site has no history of contaminative uses. However, the proposed development is located with 250m of four Potentially Contaminated Sites and a site with an entry in the Disused Tank Registry.

Based on the above, I recommend the our standard contaminated land conditions are placed on the decision notice

### **6.6 Lead Local Flood Authority**

No comments received. Any comments received will be reported on the amendment sheet.

## 6.7 Highways Officer

No comments received. Any comments received will be reported on the amendment sheet.

### Case Officer Note:

The Local Highway Authority provided comments on the previously withdrawn application (ref. P/13519/005). This application is similar in terms of access and scale, and the number of flats has been reduced. The case officer has made an assessment on the highway impact based on the previous local highway authority response and current planning policy, within Part B of this report.

## **PART B: PLANNING APPRAISAL**

### **7.0 Policy Background**

#### 7.1 The application is considered alongside the following policies:

##### National guidance

- National Planning Policy Framework
- National Planning Policy Guidance

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.

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

- Core Policy 1 – Spatial Vision and Strategic Objectives for Slough
- Core Policy 3 – Housing Distribution
- Core Policy 4 – Type of Housing
- Core Policy 7 – Transport
- Core Policy 8 – Sustainability & the Environment
- Core Policy 9 - (Natural And Built Environment)
- Core Policy 12 – Community Safety

- Adopted Local Plan for Slough
- H13 – Backland/Infill Development
- H14 – Amenity Space
- EN1 – Standard of Design
- Policy EN3 (Landscaping Requirements)
- T2 – Parking

7.2 This is an outline planning application to assess the principle of development, access, appearance, layout and scale. The main planning considerations are therefore considered to be:

- Principle of development
- Impact of layout and scale on the street scene and local area
- Impact on the Setting of the Conservation Area
- Design and Crime Prevention
- Impact on residential amenity
- Living Conditions and Amenity Space for residents
- Highways and parking
- Contaminated Land
- Biodiversity
- Archaeology
- Section 106 requirements

## **8.0 Principle of development**

8.1 **The NPPF** requires 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.

- 8.2 **Core Policy 1** of the Core Strategy 2006-2026, Development Plan Document 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.
- 8.3 **Core Policy 4** of the Core Strategy 2006-2026, Development Plan Document 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 existing and proposed local services facilities and infrastructure. Within existing suburban residential areas there will be limited infilling which will consist of family houses that are designed to enhance the distinctive urban character and identity of the area. Urban and suburban areas are defined in the appendices to the Core Strategy.
- 8.4 The site is located within close proximity of the town centre; flatted development; guest houses; and family housing. As such the site is considered to be positioned in a transitional urban/suburban area which is partly urban and partly suburban in character.
- 8.5 The plans have since been revised by including 3no family style dwellings on the ground floor, while retaining 9 flats throughout the remaining block.
- 8.6 Officers consider the provision 3no. family style dwellings and 9no. flats reflect the transitional nature of the area in terms housing types required by Core Policy 4. Furthermore, owing to the close proximity of the neighbouring flatted developments, the density and character of the proposal would relate to density and character of the surrounding area.
- 8.7 Planning Officers are satisfied the principle of accommodating a mix of family housing and flats on the application site meet the requirements of the Core Strategy 2006-2026, Development Plan Document, and the requirements of the NPPF 2012.



## **9.0 Impact of layout and scale on the street scene and local area.**

### **9.1 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 buildings .....housing 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.

### **9.2 Core Policy 8** of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document states:

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:

1. be of a high quality design that is practical, attractive, safe, accessible and adaptable
2. respect its location and surroundings
3. be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style

### **9.3 Policy EN1** of the adopted Local Plan requires 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

### **9.4** Although the proposed detached block has a similar footprint and height to the previously approved planning permission (ref. P/13519/001), the proposal extends approximately 3 metres further to the rear (east). In terms of scale and its impact on character, the changes in policy since the previous determination do not provide any reasoning to change the council's original assessment of the proposal, which was deemed acceptable.

### **9.5** Furthermore, in order to address neighbour amenity issues, the plans are to be revised by taking in the northeast corner of the building to the previously approved scheme Although the proposal would be larger in footprint than the previously approved scheme, it is not considered to an extent that would result in the over scale of built form on this site being unacceptable.

### **9.6** In terms of scale on the street scene and local area, no objections are raised in relation to the NPPF, Core Policy 8 or Local Plan Policy EN1.

## **10.0 Impact on the Setting of the Conservation Area**

- 10.1 Chapter 12 of the NPPF intends to preserve and enhance the historic environment. Specifically, paragraphs 131 and 132 state that, in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
- 10.2 Paragraph 133 states, where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 10.3 Paragraph 134 states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 10.4 The application site positioned close to the designated town centre to the Sussex Place/Clifton Road Conservation Area to the east. When considering the existing scale of Winterton House which is positioned by the boundary of the conservation area and the scale of the proposal would not lead to and significant additional harm over and above the current situation.
- 10.5 Based on the above, it is considered the scale of the proposal would not lead to harm or substantial harm of the Heritage Asset and would preserve the setting and historic features of the Conservation Area

## **11.0 Crime Prevention**

- 11.1 **Policy EN5** of the adopted Local Plan states all development schemes should be designed so as to reduce the potential for criminal activity and anti-social behaviour.
- 11.2 Having regard to the layout, it is considered acceptable provisions for designing out potential crime can be adequately achieved. These requirements can be required by condition.

## **12.0 Impact on residential amenity**

- 12.1 **The NPPF** provides guidance on impact stating 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.
- 12.2 The relationship with neighbouring properties has been raised in objection letters. The issues relate to potential loss of light to the flank wall kitchen windows within the neighbouring block of flats, and loss of light to the rear (west facing) windows to the recently approved, but unfinished dwelling to the rear of 9 Yew Tree Road.
- 12.3 The proposed building would be set away from the neighbouring flats by approximately 2.4 metres, and 2.5 – 3.5 metres to the unfinished dwelling to the rear of 9 Yew Tree Road.
- 12.4 There are no windows serving habitable rooms in each of the flank elevations of the neighbouring properties. Therefore, the occupiers of the neighbouring properties would not suffer a prolonged loss of daylight from the proposed development. No objections are raised in terms of impact on neighbouring residential amenity.
- 12.5 The northeast corner of the proposal would be within close proximity of the northern residential boundary, and extend further along the boundary than the previous proposal. Furthermore, an outbuilding has been approved in Autumn End by the common boundary and close to the proposed flats (ref. P/13960/003). As a result the proposal would have a significant overbearing impact on the ground floor lounge window and the area between Autumn End and the outbuilding.
- 12.6 The applicant's agent has since agreed to address this issue by revising the footprint to take in northeast corner to the previously approved scheme.
- 12.7 Based on the above, and subject to amended plans to address neighbour amenity issues, no objections are raised in relation to the impact on neighbouring amenity subject to appropriate planning conditions being imposed.

## **13.0 Living Conditions and Amenity Space for residents**

- 13.1 **The NPPF** which states 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.
- 13.2 Room sizes are assessed against the Council's approved Planning Guidelines for Flat Conversions. The proposed units are appropriately sized with habitable spaces that accord with the Council's approved Planning Guidelines for Flat Conversions. Habitable rooms would be served by windows that provide a suitable amount of daylight, aspect and outlook.
- 13.3 The proposal is considered to be in accordance with the living amenity requirements of the NPPF.

## **14.0 Traffic and Highways Implications**

- 14.1 The relevant policies in terms of assessing traffic and highway impacts are Core Policy 7, Local Plan Policy T2 and the adopted parking standards.
- 14.2 Core Policy 7 requires that development proposals will have to make appropriate provisions for reducing the need to travel, widening travel choices, and making travel by sustainable means of transport more attractive than the private car, improving road safety, improving air quality and reducing the impact of travel upon the environment.
- 14.3 Local Plan Policy T2 requires residential development to provide a level of parking to its location, which are defined with the Parking Standards set out in Appendix 2.
- 14.4 *Trip generation*

The Local Highway Authority have interrogated the TRICS database from the previous application for 14 flats to derive trip rates and found that the number of vehicle trips to the development would increase from the existing consented family housing development of 23 trips to 32 trips per day. This increase was deemed acceptable.

### **14.5 Access**

Vehicle access is proposed from Harewood Place which is a private road accessed from Upton Road. The access to the site would be positioned adjacent to no. 11 Harewood Place via a 5.4m wide access way. A sliding access gate is proposed with controlled access with space for two vehicles to wait off the highway (set in 11m from Harewood Place)

There is a 1.5m footway on the north side of Harewood Place that would be used for pedestrian access to the site. The existing footway is narrow and often obstructed by on street parking half way across the footway. The development if approved will intensify the use of this substandard footway and is therefore of some concern.

### **14.6 Car Parking**

19 parking bays are proposed plus two disabled bays. The parking includes three sets of tandem parking that would be allocated to specific units.

Slough Local Plan parking standards require the following provision residential areas :

1-bed flats	1.25 spaces per unit (communal spaces)
2-bed flats	1.75 spaces per unit (communal spaces)
3-bed flats	3 spaces per unit (assigned spaces)

Based on the mix of the 12 units proposed, the policy provision required would be:

3No. 3 bed flats	6 spaces
4No. 2 bed flats	7 spaces
4No. 1 bed flats	5 spaces
1No. Studio	1 space
<b>Total</b>	<b>19</b>

The proposals result would meet the parking provision required by planning policy, while also including an additional two disabled parking bays above the policy requirement.

#### 14.7 *Cycle parking, refuse and servicing*

Cycle storage is proposed to the rear of the site within individual designated secure storage sheds at a ratio of one space per flat.

Refuse and recycling is proposed by the vehicular access within communal store comprising large Euro bins.

#### 14.8 *Drainage*

The site will need to comply with the sustainable drainage systems (SuDS) requirements. This can be secured by condition.

- 14.9 Based on the above and based on what has been accepted by previous planning permission, subject to any substantive objections or requirements from the Local Highway Authority, no objections are raised subject to the satisfactory completion of a section 106 and relevant planning conditions.

### 15.0 **Section 106 agreement**

- 15.1 No affordable housing is sought as the number of units is below the threshold

- 15.2 The Highways Officer has requested a financial contribution to mitigate the transport impact, and highways works to the access road, in a similar fashion to the previously approved scheme. The previous section 106 agreement included the following:

#### *Highways Schedule*

- To give the Council the Commencement Notice prior to the Commencement of Development.
- Not to carry out or permit the Commencement of Development until it has first acquired or secured the Visibility Splays.
- Visibility splays to remain in perpetuity
- Prior to occupation an approved scheme, drawings/plans of highway works at Harewood Place showing in detail the layout and design construction of all road and drainage works, street lighting, layout of on street parking spaces and landscaping including all necessary traffic management measures and Road Safety Audit Procedure ("the Highway Works Scheme") for the approval of the

Council in accordance with which the Highway Works shall be carried out and the Owner shall not commence any part of the Highway Works until the Council has given its written approval to such detailed scheme, drawings and/or plans;

- Completed the Highway Works in accordance with the approved Highway Works Scheme
- Commencement of the Highway Works and at no expense to the Council to obtain such consents, licences or permissions as may be required for the purposes of carrying out the Highway Works

*Transport Schedule:*

- Traffic Order financial Contribution
- Transport Contribution
- Revoke the right to on street parking permits

Should planning permission be granted, the above Section 106 agreement would need to be completed in respect of this new proposal.

## **16.0 Impact Biodiversity**

16.1 The NPPF requires that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for then planning permission should be refused.

In addition, Circular 06/2005 states 'It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before planning permission is granted

16.2 The application property does not fall within a designated SPA, SAC, SNCI or SSSI. It is not within 200m of ancient woodland, and is not an agricultural building or barn. Furthermore, after undertaking a site visit, Officer's are satisfied there would be no significant risk on protected species or ecology resulting from the proposed development.

## **17.0 PART C: RECOMMENDATION**

17.1 Having considered the relevant policies set out below, and all other relevant material considerations it is recommended this Outline Planning Application be delegated to the Planning Manager for **approval** subject to subject to revised plans to address neighbour amenity issues, consideration of any substantive objections or requirements from the Local Highway Authority, the Lead Flood Authority, the Crime Prevention Design Advisor, the satisfactory completion of a Section 106 agreement, and finalising conditions.

## 18.0 **PART D: LIST OF CONDITIONS AND INFORMATIVES**

Please note that this is not the final list of conditions and amendments may be made prior to planning permission being granted.

### 1. Reserved Matters

Details of the design and external appearance of any buildings to be erected and, the landscaping of the site, (hereinafter collectively referred to as 'the reserved matters') shall be approved in writing by the Local Planning Authority prior to the commencement of the development.

REASON To ensure that the proposed development is satisfactory and to comply with the provisions of Article 3(1) of The Town and Country Planning (General Development Procedure) Order 2015.

### 2. Time Limit

The development hereby permitted shall be commenced within three years from Application for approval of all reserved matters referred to in condition 1 above shall be submitted in writing to the Local Planning Authority no later than the expiration of three years from the date of this permission.

The development hereby permitted must be begun not later than whichever is the later of the following dates and must be carried out in accordance with the reserved matters approved:

- i) the expiration of 5 years from the date of this permission: or
- ii) the expiration of two years from the final approval of the reserved matters referred to in condition 1 above, or in the case of approval of different dates, the final approval of the last such matter to be approved.

### 3. Drawing Numbers

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

TBC

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.

### 4. 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.

#### 5. 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.

#### 6. 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.

#### 7. 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.

#### 8. Surface Water Drainage

Development shall not commence until details and management of surface water drainage have been submitted to and been approved by the local planning authority. No dwelling shall be occupied until the drainage system for the site has been completed in accordance with the approved details. The surface water drainage shall thereafter be retained and maintained in accordance with the approved details.

REASON In the interest of public protection in particular to avoid flooding in the area in accordance with policy 8 of the Core Strategy 2006-2026 adopted 2008.

9. Programme of archaeological

No development shall take place until the applicant has secured and implemented a phased programme of archaeological work in accordance with a written scheme of investigation (method statement), which has been submitted by the applicant and approved by the Local Planning Authority.

REASON The site is within an area of archaeological potential. A phased programme of archaeological work is required to mitigate the impact of development and record and advance understanding of any heritage assets that may be harmed or lost by the development

10. No development shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting including details of the lighting units, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme.

REASON In the interests of safeguarding the amenities of neighbouring properties in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 (incorporated in the Composite Local Plan for Slough 2013).

11. No development shall begin until details of a scheme (Working Method Statement) to control the environmental effects of 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 working hours, hours during the construction phase, when delivery vehicles taking materials are allowed to enter or leave the site
- (vii) strategy for the management of construction traffic to and from the site together with details of parking / waiting for construction site staff and for delivery vehicles shall be submitted to and approved in writing by the Local Planning Authority.

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 (incorporated in the Composite Local Plan for Slough 2013).

## 12. Boundary Treatment

No development shall commence on site until details of the proposed boundary treatment including position, external appearance, height and materials have been submitted to and approved by the Local Planning Authority. Once approved, a suitable means of boundary treatment shall be implemented on site in accordance with the approved details prior to the first occupation of the development and retained at all time on the future.

REASON To safeguard the visual amenities of the locality and the privacy and amenity of adjoining properties, in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004.

## 13. Secured by Design

Prior to first occupation, 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 shall be submitted and approved in writing by the Local Planning Authority. Security measures in line with the principles of Secured by Design are to be implemented following consultation with the 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 Policy EN5 of The Adopted Local Plan for Slough 2004, 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.

## 14. No additional windows

No window(s), other than those hereby approved, shall be formed in the side elevations of the development without the prior written approval of the Local Planning Authority.

REASON To minimise any loss of privacy to occupiers of adjoining residential properties in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, December 2008.

## 15. Obscure non-opening glazing

The first floor windows in the in side elevations of the development hereby approved shall be glazed with obscure glass and any opening shall be at a high level (above 1.8m internal floor height) only.

REASON To minimise any loss of privacy to occupiers of adjoining residential properties in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, December 2008.

16. Refuse and recycling

The approved refuse and recycling stores shall be completed prior to first occupation of the development and retained at all times in the future for this purpose.

REASON In the interests of visual amenity of the site in accordance with Policy EN 1 of The Local Plan for Slough 2004.

17. Cycle parking

The approved cycle parking shall be completed prior to first occupation of the development and 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 Local Plan for Slough 2004, and to meet the objectives of the Slough Integrated Transport Strategy.

18. Car parking

The parking spaces and turning area shown on the approved plan shall be provided on site prior to occupation of the development and retained at all times in the future for the parking of motor vehicles in relation to the dwellings hereby permitted.

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 T2 of The Adopted Local Plan for Slough 2004

19. No car parking permit

No occupier of the residential development hereby approved shall be entitled to a car parking permit from the Council to park on the public highway within the local controlled parking zone or any such subsequent zone.

Reason: In order to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street parking stress in the area in accordance with residential properties in accordance with Core Policy 7 of the Slough LDF 2006-2026.

20. Density and Mix

The density and mix of the residential units shall be provided in accordance with the approved plans and retained as such in perpetuity. (wording to be confirmed)

REASON To ensure that adequate housing density and mix is retained on the site in accordance with Core Policy 4 of the Slough LDF 2006-2026.

**INFORMATIVES**

1. The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to [0350SN&N@slough.gov.uk](mailto:0350SN&N@slough.gov.uk) for street naming and/or numbering of the unit/s.
2. 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.
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 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.
5. 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.
6. Positive and proactive statement - In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through requesting amendments. 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.