

Registration Date:	16-Dec-2016	Application No:	P/01913/011
Officer:	Karen Haizelden	Ward:	Upton
Applicant:	Mr. Iftakhar Ahmed	Application Type:	Major
		13 Week Date:	17 March 2017
Agent:	Mr. Alan Counter 33, Chaucer Way, Coomberlands, Addlestone, Surrey, KT15 1LQ		
Location:	9-10, Chapel Street, Slough, SL1 1PF		
Proposal:	Reserved Matters application pursuant to outline planning permission P/01913/009 dated 16 December 2013 to consider appearance and landscaping, in the respect of the erection of a four storey plus basement mixed use scheme, (residential and commercial). (Discharge conditions 1,5,7 and 8 ref P/01913/009)		

Recommendation: Recommended for approval, subject to conditions



P/01913/011

1.0 SUMMARY OF RECOMMENDATION

- 1.1 Having considered the relevant policies and comments from consultees; the proposal is considered to be acceptable in principle and recommended for approval, subject to conditions.

PART A: BACKGROUND

2.0 Introduction

- 2.1 The applicant, has submitted the Reserved Matters application in response to the granting of Outline Application P/01913/009, dated 16 December 2013, known as 9-10 Chapel Street for the following development:

APPLICATION FOR A NEW PLANNING PERMISSION TO REPLACE EXTANT OUTLINE PLANNING PERMISSION REFERENCE P/01913/006 DATED 24TH NOVEMBER 2010 FOR THE ERECTION OF FOUR STOREY BUILDING PLUS BASEMENT TO PROVIDE A MIXED USE DEVELOPMENT COMPRISING; a) GYMNASIUM, HAIR SALON / BEAUTICIANS AND SAUNA / AEROBICS ROOM AT BASEMENT LEVEL b) 131 SQ METRES OF CLASS A2 OFFICES AT GROUND FLOOR LEVEL c) 8 NO. X ONE BEDROOM FLATS AND 8 NO. X BEDSIT FLATS ON THREE LEVELS AT FIRST SECOND AND THIRD FLOORS TOGETHER WITH ON SITE CYCLE AND REFUSE STORAGE (OUTLINE APPLICATION WITH APPEARANCE AND LANDSCAPING RESERVED FOR SUBSEQUENT APPROVAL) IN ORDER TO EXTEND THE TIME LIMIT FOR IMPLEMENTATION

3.0 Proposal

- 3.1 This proposal is for a reserved matters application to consider landscaping and visual appearance for a four storey building plus basement, to provide a mixed use development comprising (a) gymnasium, hair salon / beauticians and sauna / aerobics room at basement level (b) 131m² of Class A2 offices at ground floor level (c) 8no. one bedroom flats and 8no. bedsit flats on three levels. Outline permission P/01913/009 was granted on 16 December 2013. Details have also been submitted in relation to the discharge of Conditions 1, 5, 7 and 8 attached to that permission P/01913/009. The submitted application drawings do not indicate a basement layout, but this part of the development does not impact on the appearance of the building, so is not under consideration as part of this application.

4.0 Application Site

- 4.1 The application site is located on the north eastern side of Chapel Street, which is a service road that predominantly serves the rear of the properties in High Street. The site is currently vacant.
- 4.2 The site is surrounded with commercial buildings on the north eastern side of the site,

with most of them being rear accesses to High Street units and two storey residential properties to the south and south west of the site. These residential properties face onto Herschel Street with the rear of the properties on Chapel Street with parking areas and gardens adjacent to Chapel Street itself.

4.3 The site is situated within the Slough Town Centre Boundary and Slough Town Centre Shopping Centre as defined in the proposals map for Slough.

5.0 **Site History**

- 5.1 P/01913/003 USE FOR PHOTOGRAPHIC AND RECORDING STUDIOS WITH ANCILLARY OFFICES AND USE OF REAR BUILDING FOR STORAGE OF CAR SPARES.
Approved (Limited Period Permission) 07-Sep-1992
- P/01913/004 CONTINUED USE FOR PHOTOGRAPHIC AND RECORDING STUDIOS AND GENERAL STORAGE OF CAR PARTS.
Approved with Conditions 19-Dec-1996
- P/01913/005 CONTINUED USE OF PREMISES AS PHOTOGRAPHIC/MUSIC STUDIOS, GENERAL STORAGE CARS, PARTS
Refused 07-Jul-1999
- P/01913/006 ERECTION OF FOUR STOREY BUILDING PLUS BASEMENT TO PROVIDE A MIXED USE DEVELOPMENT COMPRISING;
a) GYMNASIUM, HAIR SALON / BEAUTICIANS AND SAUNA / AEROBICS ROOM AT BASEMENT LEVEL
b) 131 SQ METRES OF CLASS OF CLASS A2 OFFICES AT GROUND FLOOR LEVEL
c) 8 NO. X ONE BEDROOM FLATS AND 8 NO. X BEDSIT FLATS ON THREE LEVELS AT FIRST SECOND AND THIRD FLOORS TOGETHER WITH ON SITE CYCLE AND REFUSE STORAGE (OUTLINE APPLICATION WITH APPEARANCE AND LANDSCAPING RESERVED FOR SUBSEQUENT APPROVAL)
Approved with Conditions; Informatives 24-Nov-2010
- P/01913/007 ERECTION OF 7 STOREY BUILDING PLUS BASEMENT TO PROVIDE A MIXED USE DEVELOPMENT COMPRISING;
A) GYMNASIUM, HAIR SALON / BEAUTICIANS AND SAUNA / AEROBICS ROOM AT BASEMENT LEVEL
B) 334 SQ METRES OF CLASS OF CLASS A2 OFFICES AT GROUND AND FIRST FLOOR LEVEL
C) 10 NO. X ONE BEDROOM FLATS AND 15 NO. BEDSIT FLATS ON FIVE UPPER LEVEL TOGETHER WITH ON SITE CYCLE AND REFUSE STORAGE (OUTLINE APPLICATION WITH APPEARANCE AND LANDSCAPING RESERVED FOR SUBSEQUENT APPROVAL)
Withdrawn by Applicant 22-Feb-2012

- P/01913/008 ERECTION OF 6 STOREY BUILDING TO PROVIDE A MIXED USE DEVELOPMENT COMPRISING: A) 133SQ METERS OF CLASS A2 OFFICES AT GROUND FLOOR. B) 30NO BEDSIT FLATS ON FIVE UPPER LEVELS TOGETHER WITH ON SITE CYCLE AND REFUSE STORAGE (OUTLINE APPLICATION WITH APPEARANCE AND LANDSCAPING FOR SUBSEQUENT APPROVAL).
- Refused; Informatives 12-Sep-2013
- P/01913/009 APPLICATION FOR A NEW PLANNING PERMISSION TO REPLACE EXTANT OUTLINE PLANNING PERMISSION REFERENCE P/01913/006 DATED 24TH NOVEMBER 2010 FOR THE ERECTION OF FOUR STOREY BUILDING PLUS BASEMENT TO PROVIDE A MIXED USE DEVELOPMENT COMPRISING; a) GYMNASIUM, HAIR SALON / BEAUTICIANS AND SAUNA / AEROBICS ROOM AT BASEMENT LEVEL b) 131 SQ METRES OF CLASS A2 OFFICES AT GROUND FLOOR LEVEL c) 8 NO. X ONE BEDROOM FLATS AND 8 NO. X BEDSIT FLATS ON THREE LEVELS AT FIRST SECOND AND THIRD FLOORS TOGETHER WITH ON SITE CYCLE AND REFUSE STORAGE (OUTLINE APPLICATION WITH APPEARANCE AND LANDSCAPING RESERVED FOR SUBSEQUENT APPROVAL) IN ORDER TO EXTEND THE TIME LIMIT FOR IMPLEMENTATION.
- Approved with Conditions; Informatives 16-Dec-2013
- P/01913/010 Erection of 5 storey building plus basement to provide a mixed use development comprising;
- a) Gymnasium, hair salon / beauticians and sauna / aerobics room at basement level
 - b) 126 sq metres of class a2 offices at ground floor level
 - c) 2 no. one bedroom flats and 19 no. bedsit flats on four upper levels together with on site cycle and refuse storage at ground floor level (outline application with appearance and landscaping reserved for subsequent approval).
- Refused; Informatives 25-Jul-2014

- 5.2 Planning permission was granted in September 1992 for a photographic and recording studios with ancillary parking and offices (P/01913/003) and permission for its continued use was granted December 1996 (P/01913/004) and July 1999 (P/01913/005).
- 5.3 Planning permission was then granted for demolition of existing buildings and erection of a two storey office building with undercroft parking (S/00618/000). This was followed by two outline applications that were granted planning permission two storey office buildings in September 2005 (S/00618/001) and January 2006 (S/00618/002) but have not been constructed and have now expired. At the time that the applications were determined they were adjudged to have established an appropriate size, scale and bulk of building for the site.
- 5.4 An outline planning application was approved for a detached four storey building with a basement, comprising gym and beauty uses, office accommodation at ground floor level and residential uses in the top three floors consisting of 8 no. one bedroom flats

and 8 no. bedsits in November 2010 (P/01913/006).

5.5 Planning permission was applied for in December 2011 for a seven storey building plus basement to provide a gymnasium, hair salon, beauticians, sauna and aerobics room at basement level, 334m² of office space on the ground and first floor and 25 residential units (10no. 1 bed flats and 15no. studio flats) on the floors above but was withdrawn prior to determination (P/01913/007) although a similar scheme was refused in September 2013 (P/01913/008)

5.6 P/01913/009 was itself essentially an application for an extension of time to commence the previously approved outline planning application for a detached four storey building with a basement, comprising gym and beauty uses, office accommodation at ground floor level and residential uses in the top three floors consisting of 8 no. one bedroom flats and 8 no. bedsits.

6.0 **Neighbour Notification**

6.1 The following adjoining occupiers were consulted.

Savers, 174, High Street, 7, Herschel Street, , 4, Herschel Street, Reed Employment Ltd, 164, High Street, 8, Herschel Street, 5, Herschel Street, Mcdonalds Restaurants Ltd, 172, High Street, 9, Herschel Street, 6, Herschel Street, 10, Herschel Street, , Nationwide Bldg Soc, 170, High Street, Post Office, 176, High Street.

No comments have been received.

7.0 **Consultation**

7.1 **Transport and Highway Comments**

7.1.1 The Highway Officer has worked with Applicants to amend scheme and make scheme acceptable.

7.1.2 *Secure by Design*

The whole application should be reviewed on the basis of the Secure by Design guidance. The layout of the scheme remains very poor and unsafe for pedestrian access to the flats. The shared use of the entrance hall for residential and commercial would not be supported by the Secure by Design principles. This should be designed out by modifying the ground floor of the development.

7.1.3 *Cycle Store*

The cycle store was the best that could be achieved at the time of the first application. But things have moved on since then and really the quality of the store is still very poor and frankly the developer should be providing individual 2m x 2m x 1m stores for each flat rather than a large communal store. Taking into account the comments in respect of Secure by Design the application should be amended to provide individual storage for each flat, this has now been amended to the individual racks proposed.

- 7.1.4 *Bin Storage*
The bin storage area has remained as submitted, and agreed at outline stage. The Refuse and Recycling Guidance has changed since then and therefore the design should be updated. The residential development bin store is of the right size. A separate store is required for commercial waste. This has now been amended.
- 7.1.5 *Land Dedication / S106 agreement*
Land at the front of the development was to be dedicated to the local highway authority for maintenance at the public expense I presume this is still the case and that the previous contributions are still to be secured. S106 requirements remain in place.
- 7.1.6 Tree and Landscape Officer – No objections

PART B: PLANNING APPRAISAL

Policy Background

8.0 National Guidance

8.1 National Planning Policy Framework (March 2012)

- 8.1.1 The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.
- 8.1.2 A presumption in favour of sustainable development lies at the heart of the NPPF. The document recognises that sustainable development has economic, social and environmental dimensions that are mutually dependent, and Paragraph 8 states that 'economic growth can secure higher social and environmental standards, and well designed buildings and places can improve the lives of people and communities.'
- 8.1.3 Section 1 reinforces the Government's commitment to securing economic growth in order to create jobs and prosperity and states that the planning system should help to facilitate this. Paragraph 19 states that 'Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.'
- 8.1.4 Section 7 of the NPPF relates to good design in development proposals and recognises the indivisibility of good planning and good design. Development proposals should be of a high quality and be inclusive.
- 8.1.5 Paragraph 58 it is stated that planning policies and decisions should aim to ensure that developments:
- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;

- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
 - respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
 - create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion;
- and
- are visually attractive as a result of good architecture and appropriate landscaping.

8.1.6 In paragraph 60 it is stated that planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. *It is, however, proper to seek to promote or reinforce local distinctiveness.*

8.1.7 However, paragraph 61 acknowledges that design goes beyond aesthetic considerations and stresses that planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment. But in paragraph 64 it is stated that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

9.0 **The Development Plan**

Local Plan for Slough, March 2004

9.1 Policy EN1 (Standard of Design) states that development proposals must reflect a high standard of design and must be compatible with and/or improve their surroundings.

9.2 Policy EN3 (Landscaping Requirements) requires a comprehensive landscaping scheme for all new development proposals.

9.3 Policies T2, T7, T8 and T9 are transport policies relating to new developments. In particular, Policy T2 advises no increases in the total number of car parking spaces on-site will be permitted within commercial redevelopment schemes. In addition, the Council's car parking standards are contained at Appendix 2 and the standard in Existing Business Areas for Class B1(a) offices is 'no overall increase' and then there are specific standards for Class A1-5, C1, D1 and D2 uses. There is therefore a distinction between Class B and non-Class B uses within Existing Business Areas.

Slough Local Development Framework, Core Strategy 2006 – 2026

9.4 The overall spatial strategy within the Core Strategy can be summarised as one of '*Concentrating development but also spreading the benefits to help build local communities*'. In order to achieve this it specifically encourages the comprehensive regeneration of selected key locations and identifies the Heart of Slough as somewhere where major change can be made to the urban townscape and the quality of the public realm.

9.5 Core Policy 1 (Spatial Strategy)

This policy requires that all development complies with the spatial strategy set out in the core strategy. The overarching planning strategy for slough is for high density housing, intensive employment generating uses or intensive trip generating uses to be located in the town centre.

The strategy does however state that comprehensive regeneration of selected key locations within the Borough will also be encouraged at an appropriate scale. It provides for some relaxation of the policies or standards in the Local Development Framework. However this must be justified by the overall environmental, social and economic benefits that will be provided to the wider community.

- 9.6 Core Policy 7 (Transport)
New development is to be located in the most accessible locations, thereby reducing the need to travel, improve road safety and improve air quality. Development proposals will have to make contributions to, or provision for the development of Slough town centre as a Regional Hub.
- 9.7 Core Policy 8 (Sustainability and the Environment)
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.
- 9.8 Core Policy 9 (Natural and Built Environment)
Development will not be permitted unless it:
- Enhances and protects the historic environment;
 - Respects the character and distinctiveness of existing buildings, townscapes and landscapes and their local designations;
 - Protects and enhances the water environment and its margins;
 - Enhances and preserves natural habitats and the bio-diversity of the Borough, including corridors between bio- diversity rich features.
- 9.9 Core Policy 10 (Infrastructure)
Development will only be allowed where there is sufficient existing, planned or committed infrastructure. All new infrastructures must be sustainable.
- 9.10 Core Policy 11 (Social Cohesiveness)
The development of new facilities which serve the recognised diverse needs of local communities will be encouraged. All development should be easily accessible to all and everyone should have the same opportunities.
- 9.11 Core Policy 12 (Community Safety)
All new development should be laid out and designed to create safe and attractive environments in accordance with the recognised best practice for designing out crime. Activities which have the potential to create anti-social behaviour will be managed in order to reduce the risk of such behaviour and the impact upon the wider community.

Planning Assessment

10.0 **Principle of Development**

10.1 Planning permission (P/01913/009) was granted in December 2013. That application was essentially an extension of time application of the same development approved in 2010. The following is an extract from that officer's report:

10.2 *"There has been no major change in local planning policy since the previous approval and therefore the proposal to extend the time to implement the scheme is still considered to be acceptable, subject to the Section 106 Agreement discussed below. The National Planning Policy Framework has replaced Planning Policy Statement 1 although there is noting in this new national policy which would be contrary to the previous granting of planning permission or would result in the application being viewed in a different way.*

It is therefore considered that the proposals would still be considered acceptable with no major change in policy and the appropriate Section 106 Agreement in relation to the following issues:

- *Principle of use*
 - *Scale, massing, bulk and layout*
 - *Impact to neighbouring residential properties / relationships to neighbouring buildings*
 - *Amenity for future residential occupiers / standard of accommodation*
 - *Amenity Space*
 - *Parking / Highway Safety*
- Section 106 Agreement*

While it was previously acknowledged that some of the residential accommodation falls below the normally applied standard of space and daylighting and that such accommodation would not be suitable for permanent long term residence. The applicant has therefore entered into a Section 106 Agreement in the same terms as previous to restrict all the residential accommodation in the building to short term lets to meet an unmet need in Slough and serve a sector of the population where affordability is an issue and who may have difficulty accessing social rented accommodation and that there was advantages in providing some housing accommodation at the lower end of the market in a town centre location with excellent access to all facilities and public transport.

There is also a £17,500 transport contribution and an agreement to undertake the widening of the pavement outside of the site agreed under the Section 106 Agreement in order to make up for the shortfall of parking at the site."

10.3 The principle of flats have therefore been accepted and approved in 2010 and the permission extended in 2013. Although the appearance of the building was not considered as part of the previous approvals, the applicant included elevational drawings, which were presented to Members in making a decision in 2010. In terms of assessing this current application, the applicant has submitted the same elevational drawings. Some minor changes have been made relating to the materials in order to achieve a higher quality building, as well as improvements made to account for current standards for bin storage and cycle storage.

10.4 The principle considerations of scale massing bulk and layout have been approved already in the previous application. The use, footprint and upper limits of the building comply with the approved plans and therefore no objection is raised in terms of the principle of the proposal, subject to satisfactorily addressing the reserved matters outlined in condition 1 of planning permission P/01913/009, relating to appearance and landscaping.

11.0 **Visual Appearance**

11.1 The building will be located in a prominent albeit back street location. The surrounding buildings are predominantly red brick with a mixture of flat roofs. This building will be viewed in the wider context of the street as well as immediate neighbouring properties. Planning conditions imposed at outline stage have placed a requirement that the windows should be obscure glazed. The materials that have now been submitted are acceptable and a comprehensive list and set of samples have been provided.

11.2 The building will be constructed in dark red bricks with stone cills and a flat roof. The windows proposed are dark grey aluminium. The cladding detail between the windows will add character and be a composite timber material. Overall this will give the building a modern appearance however it will also blend into the surrounding commercial buildings.

11.3 The obscure glazing proposed in relation to condition 8 is Pilkington Opifloat Opal. This will have an opaque appearance and will let light in but not give rise to any loss of privacy or overlooking issues. Officers are satisfied that the appearance will be acceptable in achieving a building that will respect the appearance of the general street scene.

12.0 **Landscaping**

12.1 Details contained on drawing number TH/A3/1356/LS are considered acceptable by the Tree and Landscape Officer. There is very limited outdoor space so this small planter with a semi –mature tree is considered the best use of space.

12.2 It is believed that the proposed landscaping is acceptable given the limited space available and no objection is therefore raised in terms of the proposed landscaping.

13.0 **Traffic and Highways**

13.1 Bin storage: The precise details of the bin store are subject to a further planning condition to ensure the latest standards are met at the time of construction.

13.2 The approved details for cycle stands are Sheffield Inverted U cycle racks supplied by Cyclehoop Ltd. These are acceptable and satisfy the planning condition 7 which can be considered discharged.

14.0 **Section 106 agreement**

14.1 This application will not have a Section 106 agreement, because the agreement is linked to the main approval.

15.0 **CONCLUSION**

15.1 The principle of the current proposal has already been established through the granting of the previous planning permission. That contained drawings of the proposed building and the elevational drawings submitted with the current application confirms that the building will respect the character of the area.

15.2 It is considered that the applicant has worked with Officers in addressing the concerns around visual appearance and landscaping, as discussed in this report. As a result it is considered that the application should be supported, because of the economic and social benefits.

16.0 **PART C: RECOMMENDATION**

16.1 The recommendation is to approve the application, subject to conditions.

17.0 **PART D: LIST OF CONDITION(S)**

1. The development hereby approved shall be implemented only in accordance with the following plans and drawings hereby approved unless otherwise agreed in writing by the Local Planning Authority.

- (a) Drawing No. CS.06.B Rev B East (side) Elevation from access road), Dated 04.04.17, Recd On 18.04.2017
- (b) Drawing No. CS.05.B Rev B South (front) Elevation from chapel street), Dated 04.04.17, Recd On 18/04/2017
- (c) Drawing No. CS.08.B Rev B West (side) Elevation from pedestrian access), Dated 04.04.17, Recd On 18/04/2017
- (d) Drawing No. CS.07.A Rev ANorth (rear) Elevation from service yard), Dated 04.04.17, Recd On 18/04/2017
- (e) Drawing No. CS.01.A Rev B Ground Floor plan, Dated 04.04.17, Recd On 18/04/2017
- (f) Drawing No. CS.02 First Floor plan Recd On. 13/12/2016
- (g) Drawing No. CS.03 Second Floor Plan Recd On 13/12/2016
- (h) Drawing No. CS.04 Third Floor Plan Recd On 13/12/2016
- (i) Drawing No.01 Roof Plan Recd On. 18/04/2017
- (j) Drawing No.02 Detailed Plan 1:20 Recd On 18/04/2017
- (k) Drawing No. TH/A3/1356/LS Landscaping Dated 08.12.16 Received 13/12/2016
- (l) Drawing No. CS00 Rev E Dated 16.04.16 Received 13/12/2016

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.

2. The landscaping scheme as indicated on Drawing No. TH/A3/1356/LS Landscaping Dated 08.12.16 Received 13/12/2016 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 or retained 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.

INFORMATIVE(S):

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