

PLANNING COMMITTEE
31st May 2017

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

Additional Information

An additional plan proposing pedestrian safety measures has been submitted. These measures include the following:

- Red block paving along the access road to indicate a shared surface with pedestrians
- Rumble strips at each end and middle of the access road
- Surface signage indicating pedestrian activity
- Signage for vehicles to give way to oncoming traffic entering the site

A plan showing these proposals will be seen within the presentation slides.

Consultation Responses

A petition signed by 28 residents (2 of which were included in the original petition signed by 11 residents) has been received with summarised comments about the following:

- Increase in traffic resulting in additional noise and air pollution
- Reduction in parking spaces
- No access for emergency vehicles
- Impact on residents from construction works
- Vehicles damaging property adjacent to the access road
- Loss of trees

Tree Officer

It would be preferable to remove the trees and establish a suitable specimen tree elsewhere on the site, as the proposed layout places at least one house under the canopy/ies of the Oak(s). The trees will if retained have to be unsympathetically pruned to accommodate the building and though it would be technically possible to construct foundations this close to the tree, it would be prohibitively expensive. Further to these considerations the rooms and the garden of the house would be greatly shaded and the tree would drop seed leaves and flowers on to the property.

So the retention of the tree is possible but really undesirable. To cover the possibility of the trees being retained you could condition the submission of details of foundations and tree protection, (only in the event of the trees being retained).



CHANGE TO RECOMMENDATION:

Having considered the relevant policies set out below, and comments from consultees and neighbours, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager for approval subject to consideration of any requirements from Thames Water and finalising conditions.

Clarification and updates to the Committee Report;

1. For the avoidance of doubt, access is not to be considered at this stage.
2. The revised description of development features Trade Counters.
3. Members should be aware that more than one building could come forward at the reserved matters stage depending upon market response.
4. Amenity impact – an acoustic fence will be provided along the southern boundary to assist in protecting third parties from noise, this has been conditioned.
5. Officers have chased Thames Water for comments and therefore new conditions maybe required, relating to piling etc depending upon Thames Water comments.
6. The Local Highways Authority have been in further discussions with applicant.

Discussions have led to the following;

- I. Temporary access point to be agreed at Reserved Matters stage.
 - II. Widen the southern service road at the proposed site access junctions taking account of the proposed HGV movements ingressing and egressing from the access junctions to be agreed at Reserved Matters stage.
 - III. Widen the southern service road to 6m in width along the section that a car transporter is likely to load and un-load from (this should be provided irrespective of whether it is shown that a car transporter can enter the site);
 - IV. Pedestrian dropped kerbs and tactile paving be provided on all of the vehicle access points.
 - V. Reconstruct the footway fronting the application site, the S106 agreement must set out all the likely obligations up-front otherwise there is no recourse to ensure such works take place.
 - VI. Reinstatement of redundant access points to standard footway construction.
 - VII. Installation of street lighting modifications to necessary to be agreed by the LHA
 - VIII. Drainage connections (as necessary) to be agreed with the LHA; this condition gives maximum flexibility to all parties rather than requiring this in advance which may prejudice layouts etc.
 - IX. Provide retaining wall (as necessary) to protect Aspro Alley – this includes removing the kinks from the alley way as per officer presentation.
 - X. Construction and dedication as highway maintainable at the public expense, free of charge, the widened Aspro Alley public right of way to form a lit cycle/pedestrian route (4m in width) along the eastern and southern boundaries of the site;
 - XI. Construction of a path link between the existing cycleway and the Bath Road service road opposite the end of the realigned Aspro Alley;
 - XII. Installation of crossover / junctions – (number of accesses and location to be agreed as part of reserved matters application, accesses to be located 30m apart radius to radius);
 - XIII. Electric Vehicle Charging Provision to be covered by condition.
7. Air Quality Officers have also been in discussions with the applicant. Discussions have not altered the fundamentally the requests and expectations set out in the committee report, again noting the scale of the site and proposals.

DRAFT LIST CONDITIONS:

1. Reserved matters

Details of the following reserved matters for the proposed development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development shall include:

- The layout of development;
- The scale of the development;
- The appearance of the development; and
- Detailed landscaping strategy, including details of proposed maintenance or of alternative new planting; and
- Access

REASON To ensure that the proposed development is satisfactory and to comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

2. Time Limit

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.

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 92 (2) of the Town and Country Planning Act 1990.

3. Maximum Parameters

The development/application relates to the following drawing:

- Parameters Plan, Drawing No. 4295-010 Rev K, Dated 11/10/16

The following maximum parameters for development are set below and the detailed proposed development shall be in accordance with these.

The siting and height of the proposed new buildings shall be in accordance with the following:

- Any building(s) within 10m to the rear boundary (southwest), shall not exceed a maximum height of 12m to the ridge (including plant equipment);
- Any building(s) within 25m to the rear boundary (southwest), shall not exceed a height of 15m to the ridge (including plant equipment);
- Any building(s) within 50m to the rear boundary (southwest), shall not exceed a height of 18m to the ridge (including plant equipment).

Any building(s) shall be set back a minimum of 3m from the western boundary, 9m from the northern boundary and 10m from the eastern and southwestern boundary. All boundaries surrounding No. 227 Bath Road shall be set back a minimum of 3m.

A minimum 5m landscaping buffer along the rear boundary (southwest) shall be provided and thereafter retained in perpetuity.

The existing footpath shall be widened by a minimum of 2m and the widened footpath along the eastern and southern boundary shall be provided and thereafter retained in perpetuity.

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. External materials – Building

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

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

5. External materials – Access

Samples of external materials to be used in the construction of the access road, pathways and communal areas within the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before the scheme is commenced on site and the development shall be carried out in accordance with the details approved.

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

6. External Lighting

No development shall take place 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, location, 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 the amenities of the area and to comply with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, December 2008.

7. 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.

Before the development hereby permitted is occupied/in use, the approved boundary treatment shall be implemented on site prior to the first occupation of the development and retained at all time on the future.

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

8. Landscape Management Plan

No development shall take place until a landscape management plan has been submitted to and approved in writing by the Local Planning Authority. This management plan shall set out the long term objectives, management responsibilities and maintenance schedule for the landscape areas shown on the approved landscape plan, and should include a time scale for the implementation and be carried out in accordance with the approved details.

REASON To ensure the long term retention of landscaping within the development to meet the objectives of Policy EN3 of The Adopted Local Plan for Slough 2004.

9. Acoustic Fencing

Details of the acoustic fencing along the rear boundary (southwest) (including the siting, materials, colour and height) shall be submitted to and approved in writing by the Local Planning Authority. The acoustic fence shall be erected prior to first occupation/use of the proposed development and shall be maintained in perpetuity thereafter.

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.

10. Plant, equipment and machinery

Prior to first occupation/use of the proposed development, details of external/internal plant, equipment and machinery shall be submitted to and approved in writing by the Local Planning Authority. Any external/internal plant, equipment and machinery installed and operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated in order that the noise from its operation does not, at any time, increase the existing background noise level monitored 1m from the nearest noise sensitive premises. An Noise

Assessment in accordance with BS:4142 (2014) shall be submitted to and approved in writing by the Local Planning Authority which should include all relevant information (location, height, siting, enclosures, existing and proposed background noise level) to ensure that the operation of plant, equipment and machinery complies with this condition.

REASON To protect local residents from nuisance caused by excessive noise in accordance with Core Policies 6 and 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

11. Parking

No part of the development shall commence until details of a scheme for car, lorry and commercial vehicle parking, garaging and manoeuvring in accordance with the Local Planning Authority's "Car Parking Standards as set out in Developers Guide Part 3" has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and made available for use before the development hereby permitted is occupied and that area shall not be used for any other purpose.

REASON To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway, in accordance with Core Policy 7 of the Core Strategy 2006 – 2026 (Development Plan Document, December 2008).

12. Cycle Parking

No development shall be begun until details of the cycle parking provision (including location, housing and cycle stand details) have been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with these details prior to the occupation of the development and shall be retained at all times in the future for this purpose.

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

13. Pedestrian visibility splays

No part of the development shall be occupied until the pedestrian visibility splays of 2.4 x 2.4 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, in accordance with Core Policy 7 of the Core Strategy 2006 – 2026 (Development Plan Document, December 2008).

14. Vehicle visibility splays

No part of the development shall be occupied until visibility splays have been provided on both sides of each access between a point 2.4 metres along the centre line of the access measured from the edge of the carriageway and a point 43 metres along the edge of the carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall be kept free of any obstruction exceeding 0.6 metres 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, in accordance with Core Policy 7 of the Core Strategy 2006 – 2026 (Development Plan Document, December 2008).

15. Tree protection measures

No development shall commence until tree protection measures during construction of the development for existing retained trees (as identified on the approved landscaping scheme) in accordance with BS5837:2012 Trees in relation to Design Demolition and Construction have been submitted to and approved in writing by the Local Planning Authority. These measures shall be implemented prior to works beginning on site and shall be provided and maintained during the period of construction works.

REASON To ensure the satisfactory retention of trees to be maintained in the interest of visual amenity and to meet the objectives of Policy EN3 of The Adopted Local Plan for Slough 2004.

16. Permitted Development

Notwithstanding the provisions of Schedule 2, Part 3 of The Town and Country Planning (General Permitted Development) Order 2015 (As Amended), the building shall only be used for purposes falling within Classes B1(c)/B2/B8 uses as well as Data Centre/Car Showroom (Sui Generis Use) of the Town and Country Planning (Use Classes) Order 1987 (and in any provision equivalent to the Class in any statutory instrument revoking or re-enacting that order) and for no other purpose.

REASON In the interests of ensuring that there is no loss of the defined Existing Business Areas to non-employment generating uses in accordance with Core Policy 5 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

17. Maximum floor space

Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (As Amended) (or any order revoking and re-enacting that Order) the total gross internal floor space of the building(s) hereby permitted shall not exceed 31,000sqm (comprising of maximum floor space of B1(c) (Offices) - 23,400sqm; B2 (Light Industry) - 23,800sqm; B8 (Storage & Distribution) - 23,800sqm; Data Centre (Sui Generis) - 31,000sqm; Car Showroom (Sui Generis) – 8400sqm and Trade Counter (Sui Generis) – 6500sqm) and no extension or alteration either external or internal or the provision of a mezzanine floor shall be carried out without the prior permission of the Local Planning Authority.

REASON To retain control over the intensification of the uses on the site and for the protection of Existing Business Areas and impact on neighbouring amenity, in accordance with Core Policies 5 and 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

18. Delivery Vehicles

All loading and unloading of delivery vehicles shall only take place within the boundary of the site. No vehicles for delivery purposes may arrive, depart, be loaded or unloaded except between the hours of 08:00 and 19:00 Mondays to Saturdays and at no times on Sundays and Bank Holidays.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety along the neighbouring highway in accordance with Policy T2 of The Local Plan for Slough 2004.

19. External storage

No goods, materials or plant shall be deposited or stored outside the building except for temporary periods during loading/unloading of delivery vehicles.

REASON To safeguard the visual amenities of the area and residential amenities of neighbouring occupiers, in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004 and Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

20. Hours of operation

The development hereby permitted shall be open for business only between 09:00 and 19:00 hours on Mondays to Fridays, 09:00 and 18:00 hours on Saturdays and 09:00 and 17:00 on Sundays and Bank Holidays, and shall not be open at any other time unless the Local Planning Authority gives written consent to the variation.

REASON To ensure that trading does not take place at hours which would be detrimental to the amenities of adjoining residents, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

21. Refuse

Prior to the first occupation of the development hereby approved, details of refuse storage, refuse collection and recycling facilities have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and made available for use prior to the development hereby approved first being brought into use.

REASON To ensure that adequate onsite servicing can take place and in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

22. Service Management Plan

A Service Management Plan shall be submitted to and approved in writing prior to first occupation of the development hereby permitted. The Service Management Plan shall include details of the following:

TBC

The Service Management Plan shall be carried out in accordance with the approved details.

REASON To ensure that adequate onsite servicing can take place and in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

23. CCTV

The development shall not take place until a plan showing the new CCTV locations within the site has been submitted to and approved by the Local Planning Authority. Thereafter no occupation of the development shall take place until details of the new CCTV within the site, if any, have been submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details. This shall include details of:

- The specification, transmission and monitoring of the CCTV cameras to be installed;
- The method of connecting the CCTV cameras to the existing SEGRO CCTV Network; and
- The ongoing maintenance of the CCTV cameras.

REASON To reflect the permitted CCTV locations in the Adopted Simplified Planning Zone, November 2004. To ensure the public's safety throughout all stages of the development in accordance with Core Policy 12 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

24. Working Method Statement

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:

- control of dust (a suitable continuous water supply shall be provided in order to minimise the formation and spread of dust and the perimeter of the site shall be screened to a sufficient height to prevent the spread of dust);
- smell and other effluvia;
- details of all temporary external lighting
- loading and unloading of plant and materials and storage of plant and materials to be used;
- control of surface water run off;
- site security arrangements including hoardings;
- proposed method of piling for foundations;
- construction working hours,

- when delivery vehicles taking materials are allowed to enter or leave the site and identification of the times when major items of plant and equipment are to be transported to and from the site;
- Noise Management and Monitoring Plan that covers all construction activity. Noise monitoring locations and noise limits are required to be agreed with the Local Planning Authority prior to the construction phase to safeguard adjacent neighbouring properties from significance annoyances in accordance with British Standard:5228;
- specification of haul route(s) and of any temporary signage to be provided to identify the route and promote its safe use;
- details of the loading/unloading and turning area of construction vehicles, wheel wash facilities, arrangements for construction worker parking and a HGV routeing strategy;
- minimise, re-use and re-cycle waste, including materials and waste arising from demolition; minimise the pollution potential of unavoidable waste; dispose of unavoidable waste in an environmentally acceptable manner.

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 and In the interests of highway safety and operation in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

25. Phase 1 Desk Study (LPA)

Development works shall not be commenced until a phased risk assessment 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. Phase 1 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). The Desk Study shall be submitted to and approved in writing by the Local Planning Authority prior to development commencement.

REASON To ensure that the site is adequately risk assessed for the proposed development in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

26. Phase 2 Intrusive Investigation Method Statement (LPA)

Should the findings of the desk study identify the potential for contamination, then the development 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 designed 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 in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

27. Phase 3 Site Specific Remediation Strategy (LPA)

The remediation works shall not commence until a Site Specific Remediation Strategy (SSRS) has been submitted to and approved by the Local Planning Authority. The SSRS shall, as a minimum, contain details of any additional site investigation undertaken with a full review and update of the preliminary Conceptual Site Model (CSM), the precise location of the remediation scheme and/or monitoring proposed, including earth movements, licensing and regulatory liaison, health, safety and environmental controls, and any validation requirements.

REASON To ensure that remediation works are adequately carried out, to safeguard the environment and to

ensure that the development 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.

28. Remediation Validation (LPA)

No development (within or adjacent to any area(s) subject to remedial work) shall be commissioned and/or 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 remedial work is adequately validated and recorded, in the interest of safeguarding public health and in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

29. Drainage Strategy – Wording TBC

No development, excluding any demolition works, shall commence until a drainage strategy detailing any on and off-site works to the public and private sewerage system together with any phasing arrangements, has been submitted to and approved by, the Local Planning Authority in consultation with the sewerage undertaker. No phase of the development shall be occupied until any associated drainage diversion and/or upgrade works recommended by the strategy has been completed.

REASON To ensure that sufficient capacity is made available to cope with new development and in order to avoid adverse environmental impact upon the community in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

30. BREEAM 'Excellent' Rating

Evidence confirming that the development achieves a BREEAM New Construction rating of no less than 'Excellent' shall be submitted to and approved in writing by the Local Planning Authority. The evidence required shall be provided in the form of a post construction assessment, conducted by an accredited Assessor and supported by relevant BRE accreditation certificate, shall be submitted within 6 months following the first occupation of the development.

REASON In order to comply with the requirements of Core Policy 8 of the Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

INFORMATIVES:

- The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to 0350SN&N@slough.gov.uk for street naming and/or numbering of the unit/s.
- 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.
- Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
- Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 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.
- 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.
- 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.

- 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.
- 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. The applicant should be made aware that commuted sums will be payable under this agreement for any requirements that burden the highway authority with additional future maintenance costs.
- The applicant is reminded that an Agreement under Section 106 of the Town and Country Planning Act 1990 has been entered into with regards to the application hereby approved.
- 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.

CHANGE TO RECOMMENDATION:

Application be delegated to the Planning Manager for approval following consideration of further details/amendments relating to transport and highway matters, response from Thame Water, finalising of conditions and satisfactory completion of a Section 106 Agreement.

1. Materials will be provided for Members to review along with a materials legend/plan.
2. 2. Trees – Discussions have taken place regarding the trees on site and the impact of the parking arrangements. Officers have agreed the removal of tree T2 and replacement elsewhere. Tree T21 can be pruned but must be retained. T49 must be retained. There is likely to be the loss of 1-2 parking spaces which is not considered to go to the heart of the recommendation, noting visitor bay provision.
3. Heritage – No objection from Conservation Consultant subject to materials details.
4. 4. Thames Water – No objection subject to Oil Interceptors, using of SUDS to control storm waters.

NO CHANGE TO THE RECOMMENDATION

Consultation Responses

The following consultation responses have been received since publication of the Committee Report:

<p>Heathrow Safeguarding:</p>	<p>The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to the conditions detailed below:</p> <p><u>Submission of a Construction Management Strategy</u></p> <p>Development shall not commence until a construction management strategy has been submitted to and approved in writing by the Local Planning Authority covering the application site and any adjoining land which will be used during the construction period.</p> <p>Such a strategy shall include the following:</p> <p>details of cranes and other tall construction equipment (including crane locations and operating heights and details of obstacle lighting) – Such schemes shall comply with Advice Note 4 ‘Cranes and Other Construction issues’(available at www.aoa.org.uk/operations & safety/safeguarding. asp).</p> <p>The approved strategy (or any variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period.</p> <p>Reason: To ensure that construction work and construction equipment on the site and adjoining land does not breach the Obstacle Limitation Surface (OLS) Heathrow Airport and endanger aircraft movements and the safe operation of the aerodrome and: To ensure the development does not endanger the safe movement of aircraft or the operation of Heathrow Airport through interference with communication, navigational aids and surveillance equipment.</p> <p><u>Submission of a Bird Hazard Management Plan</u></p> <p>Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:</p> <p>Management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and “loafing” birds. The management plan shall comply with Advice Note 8 ‘Potential Bird Hazards from Building Design’ attached *See para below for further information*</p> <p>The Bird Hazard Management Plan shall be implemented as approved and shall remain in force for the life of the building. No subsequent alterations to</p>
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the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

Reason: It is necessary to manage the flat roofs in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport.

Information

The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by BAA Airside Operations staff. In some instances it may be necessary to contact BAA Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Natural England before the removal of nests and eggs.

We would also make the following observation:

Lighting

The development is close to the aerodrome and the approach to the runway. We draw attention to the need to carefully design lighting proposals. This is further explained in Advice Note 2, 'Lighting near Aerodromes' (available at <http://www.aoa.org.uk/operation & safety/safeguarding.htm>). Please note that the Air Navigation Order 2005, Article 135 grants the Civil Aviation Authority power to serve notice to extinguish or screen lighting which may endanger aircraft.

We, therefore, have no aerodrome safeguarding objection to this proposal, provided that the above conditions are applied to any planning permission. It is important that any conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Heathrow Airport Ltd, or not to attach conditions which Heathrow Airport Ltd has advised, it shall notify Heathrow Airport Ltd, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

Case Officer Response: the above requirements can be required by conditions and will be added to the existing list of conditions.

Environment

We have no objections to the proposed development subject to the following

Agency:

conditions being imposed on any planning permission:

1. Condition: Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

a) A preliminary risk assessment which has identified:

- i. all previous uses
- ii. potential contaminants associated with those uses
- iii. a conceptual model of the site indicating sources, pathways and receptors
- iv. potentially unacceptable risks arising from contamination at the site.

b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

c) The site investigation results and the detailed risk assessment (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To prevent the pollution of groundwater.

2. Condition: Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

Reason: To ensure that the site no longer poses a risk of contamination to controlled water (groundwater). 3) Condition: No infiltration of surface water drainage into the ground is permitted other

than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

Reason: To prevent the pollution of groundwater.

Informatives

1. Advice for condition 1

The site is located on a major aquifer with a shallow depth to groundwater. The groundwater at this site is therefore very susceptible to contamination from previous activity at the site.

The south-east portion of the site is designated as a historic landfill which presents a medium to high risk of contamination that could be mobilised during construction to pollute controlled waters, no preliminary risk assessment has been submitted with the current application.

2. Advice for condition 3

The site is located on a major aquifer with a shallow depth to groundwater. The groundwater at this site is therefore very susceptible to contamination from previous activity at the site. The infiltration of surface water could provide a potential pathway for contaminants to migrate into the major aquifer.

3. Surface water, groundwater and sewer flooding

The Town and Country Planning (Development Management Procedure) (England) Order changed on 15 April 2015. The statutory responsibility to provide comments on surface water drainage proposals for major applications has passed to the relevant Lead Local Flood Authority (LLFA) from this date. In this case the LLFA is Slough Bough Council.

We do not comment on groundwater or sewer flooding. We only comment on fluvial (from rivers) flood risk.

Case Officer Response: the above requirements can be required by conditions and will be added to the existing list of conditions.

Lead Local Flood Authority:

Having reviewed the evidence provided for the planning application, we suggest objecting to the planning application as no flood risk assessment or information on surface water management for this site has been provided.

Case Officer Response: rather refuse the proposal due to the absence of a

	Flood Risk Assessment (FRA), an FRA and appropriate drainage details can be requested before determination for assessment.
Thames Water:	<p><u>Waste Comments</u></p> <p>Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.</p> <p>Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.</p> <p>Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.</p> <p><u>Water Comments</u></p> <p>On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.</p> <p>Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p>

Assessment:

Based on the comments received above along the with case officer response, it is advised the recommendation is revised to:

CHANGE TO RECOMMENDATION:

Having considered the relevant policies set out below, and comments from consultees and all other relevant material considerations it is recommended the application be delegated to the Planning Manager for approval subject to revised plans to address highway issues, consideration of any requirements from the Contaminated Land Officer, resolution of drainage issues, finalising conditions and satisfactory completion of Section 106 Agreement.

P/01347/006 - 288-290 High Street

Agenda Item 9

1. Materials will be provided for members to review

NO CHANGE TO THE RECOMMENDATION

P/01913/011: 9-10 Chapel Street

Agenda Item 10

In terms of the site history as outlined in Section 5 in the Committee report (page 121), it should have stated that an appeal was submitted for refused application P/01913/010 for a five storey building. After a informal hearing the appeal was dismissed by the Planning Inspectorate.

NO CHANGE TO THE RECOMMENDATION