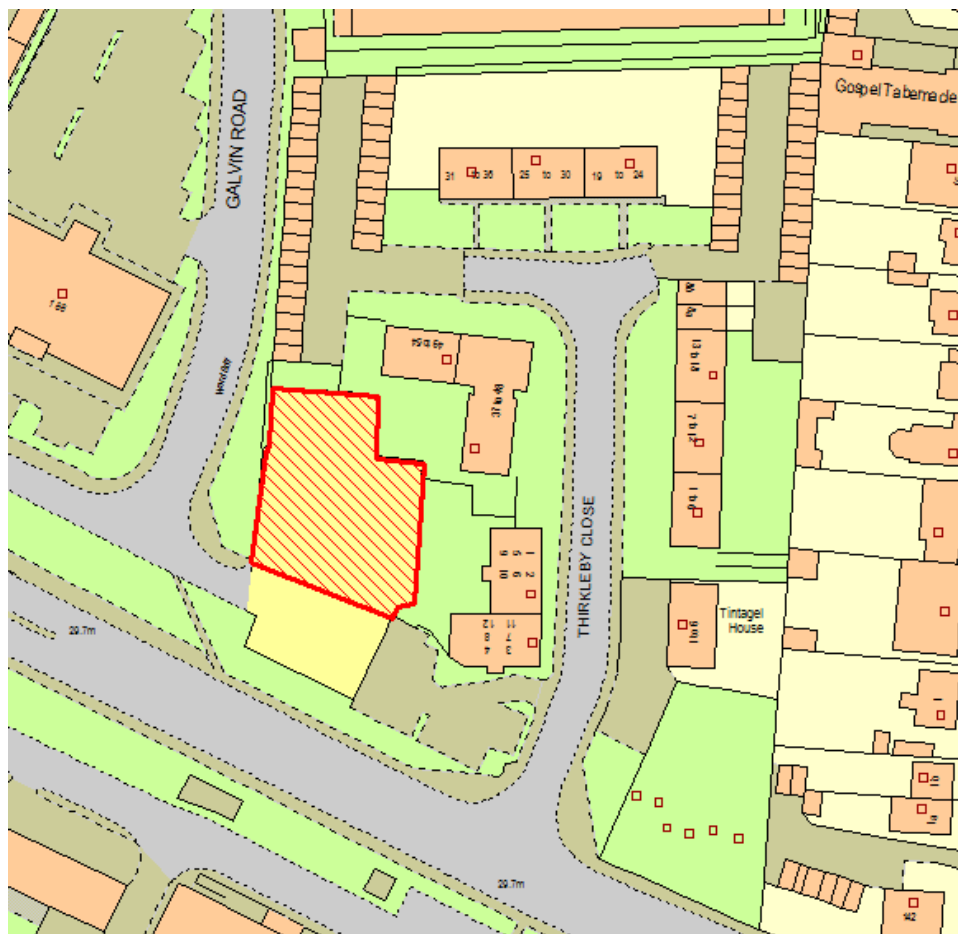


Registration Date:	01-Jun-2017	Application No:	P/01766/025
Officer:	Christian Morrone	Ward:	Cippenham Meadows
Applicant:	Mr. Majeed	Application Type:	Major
		13 Week Date:	31 August 2017
Agent:	Miss Rebecca Greasley, Planning Insight 5th Floor, Aldgate Tower, 2, Leman Street, London, E1 8FA		
Location:	172-184, Bath Road, Slough, Berkshire, SL1 3XE		
Proposal:	Redevelopment of the site to provide a six storey building to accommodate 28no. residential flats (14no. 1 bed flats; 14no. 2 bed flats) with ancillary gymnasium and undercroft parking with parking lifts.		

Recommendation: Delegation to the Planning Manager



SUPPLEMENTARY REPORT

1.0 SUMMARY OF RECOMMENDATION

Having considered the relevant policies set out below (within the original report to committee), and comments that have been received from consultees and neighbouring occupiers, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager: 1) for approval subject to: the satisfactory completion of a s106 agreement to secure a viability review mechanism; and, finalising conditions; 2) refuse the application if a satisfactory s106 Agreement is not completed by 27th June 2018.

PART A: BACKGROUND

2.0 Update

2.1 The application was originally brought to the Planning Committee on 6th December 2017, where the application was deferred to enable Planning Officers to seek the following:

- revisions to the top floor terrace to address privacy issues; the inclusion of angled (cantilevered) bay windows to the southeast elevation to address privacy issues;
- an increase in on-site parking;
- clarification on the viability for provision of financial contributions and affordable housing

2.2 The submitted viability report and its findings have now been fully assessed. Revised plans have been received which proposes an increase in 2no. car parking spaces to a total of 27no car parking spaces by using 3no. car park-lifts. The revised plans also include terrace screening and angled (cantilevered) bay windows to the southeast elevation to address privacy issues. These are assessed below along with a copy of the officers December meeting report further below. No changes were reported on the update report to the December Committee.

3.0 Further Consultation Responses

3.1 Neighbours were re-notified on 20/02/2018 with the rectified proposal description. In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) a notice was displayed outside the site on 26/02/2018. The application was advertised as a major application in the 23/02/2018 edition of The Slough Express. The consultation period ends on 19/03/2018.

3.2 The following consultation responses have since been received:

3.3 Neighbour Responses:

No comments from neighbours have been received to date. Should any be received before the close of the consultation period on 12/03/2017, then they will be set out on the update report to committee.

3.2 Development Viability Consultant:

It is agreed the proposal would not be viable with the provision of affordable housing. An outturn viability review mechanism has been recommended to help to capture the benefit of any improvement in viability over the duration of the development.

3.3 Local Highway Authority:

I confirm that Highways originally requesting 30no car parking spaces which it has now been identified cannot be achieved due to other site constraints and limitations. After looking into matters further and the mitigating circumstances, a slightly lower parking standard (just below 1 per dwelling) is being accepted by highways on this development in this instance. Please note that this does not set precedent for the parking standards for any other application on this or any other development site

PART B: PLANNING ASSESSMENT

4.0 Impact on neighbour amenity

4.1 The recommendation in the December meeting included the requirement to revise the top floor terrace and include angled (cantilevered) bay windows to the southeast elevation to address privacy issues. These have been submitted and also include no access to the areas on the top floor terrace that would result in privacy issues. These revisions satisfactorily address the privacy issues originally raised. Conditions should be included to secure the timing and retention of the screening and restricted use of the terrace.

4.2 As parking lifts are proposed a noise impact assessment has also been submitted to establish the likely noise impact on the neighbouring residential occupiers and future occupiers of the proposed development. The noise impact assessment is based on measured data from a 'similar' installed car lift to that proposed because noise data is not available for the proposed car lift. The report predicts in relation to the neighbouring residential occupiers and future occupiers of the proposed development, the car lifts would not breach the thresholds for sleeping set by World Health Organisation. Given the separation distance from the neighbouring

dwellings (approximately 19 metre minimum), and the fact the proposed flats would be insulated against the road noise as required by condition, the lifts would not result in acceptable noise levels.

- 4.3 It recommended that a condition should be included to ensure the lifts are installed in such a way that noise and vibrations from the car lifts shall not be felt or heard with the flats hereby proposed.

5.0 Highways and parking

- 5.1 The original report to the Planning Committee on 6th December recommended approval based on 25no. off street parking spaces to serve 28 no. flats. Within the December meeting Members requested the Planning Officers work with the developer to determine whether further parking could be achieved onsite. Initially, an alternative parking scheme was submitted which proposed a row of parking lifts along the eastern side of the site that would have resulted in a total of 30 parking spaces. However, the lifts, when fully extended would result in the cars on the top lift being visible above the eastern boundary which adjoins the existing residential flats in Thirkleby Road. It was felt that this would result in an un-neighbourly relationship in terms of outlook, noise and overlooking with the residential neighbouring site, and therefore the car lifts on the eastern boundary were not pursued.

- 5.2 A revised parking layout has now been submitted which through the use of 3no. parking lifts achieves an additional 2no. parking spaces. This results in a total of 27no. off street parking spaces to serve 28 no. flats. In line with the reasoning set out within the original Committee report, the proposed parking provision would be acceptable for the location and therefore revised parking provision is considered acceptable.

6.0 Affordable Housing and Infrastructure Contributions

- 6.1 The application was deferred to enable Planning Officers in order clarify the viability position of the site and the proposed flats. The viability report has since been fully assessed by a specialist and its findings have now been accepted that the proposal would not be viable through the provision of affordable housing and financial contributions towards education. However, it is recommended that a review mechanism is secured to capture any changes in the market should there be a delay in building out the development, with any financial contributions towards affordable housing and education. This should be secured through a section 106 agreement before planning permission is granted.

PART C: RECOMMENDATION

7.0 Recommendation

- 7.1 Having considered the relevant policies set out below (within the original report to committee), and comments that have been received from consultees and neighbouring occupiers, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager: 1) for approval subject to: the satisfactory completion of a s106 agreement to secure a viability review mechanism; and, finalising conditions; 2) refuse the application if a satisfactory s106 Agreement is not completed by 27th June 2018.

PART D CONDITIONS

1. Commence within three years

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

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

2. Drawing Numbers

The development hereby permitted shall be carried out in accordance with the following approved plans:

- a) Site Location Plan: (New Proposal OS Map) scaled at 1:500@A3; Dated 31/05/2018; Rec'd 01/06/2018
- b) Drawing No. 00 of 16; Dated 27/02/2018; Rec'd 27/02/2018
- c) Drawing No. 1 of 16; Dated 24/10/2017; Rec'd 30/01/2018
- d) Drawing No. 3 of 16; Dated 24/10/2017; Rec'd 21/02/2018
- e) Drawing No. 4 of 16; Dated 24/10/2017; Rec'd 30/01/2018
- f) Drawing No. 5 of 16; Dated 24/10/2017; Rec'd 30/01/2018
- g) Drawing No. 6 of 16; Dated 24/10/2017; Rec'd 30/01/2018
- h) Drawing No. 7 of 16; Dated 24/10/2017; Rec'd 30/01/2018
- i) Drawing No. 8 of 16; Dated 24/10/2017; Rec'd 30/01/2018
- j) Drawing No. 9 of 16; Dated 24/10/2017; Rec'd 30/01/2018
- k) Drawing No. 10 of 16; Dated 24/10/2017; Rec'd 30/01/2018
- l) Drawing No. 11 of 16; Dated 24/10/2017; Rec'd 30/01/2018
- m) Drawing No. 12 of 16; Dated 24/10/2017; Rec'd 30/01/2018
- n) Drawing No. 13 of 16; Dated 24/10/2017; Rec'd 30/01/2018
- o) Drawing No. 14 of 16; Dated 24/10/2017; Rec'd 30/01/2018
- p) Drawing No. 16 of 16; Dated 24/10/2017; Rec'd 30/01/2018

REASON To ensure that the site is developed in accordance with the submitted application and to ensure that the proposed development does not prejudice the amenity of the area and to comply with the Policies in the Development Plan.

3. Phase 1 Desk Study and Preliminary Risks Assessment

Development works shall not commence until a Phase 1 Desk Study (DS) 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) and Preliminary Risk Assessment (PRA).

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.

4. 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.

5. Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy

Development works shall not commence until a Quantitative Risk Assessment (QRA) 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.

6. 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.

7. 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 a full surface water drainage design including a layout and calculations has been submitted to and approved in writing by the Local Planning Authority. The drainage design should include the existing site drainage scenario, the proposal for the site surface water drainage detailing the use of SuDS systems, together with any proposed connections to existing sewers.

The development shall be carried out in accordance with approved details and retained as approved thereafter. The drainage system shall be managed and maintained for the lifetime of the development in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

REASON to prevent the risk of flooding in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document policies, and the requirements of NPPF 2012.

9. Samples of Materials

Prior to the commencement of development samples of external materials (including, reference to manufacturer, specification details, and positioning) to be used in the construction of external envelope, access road, pathways and communal areas of 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 Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN1 of The Adopted Local Plan for Slough 2004, and the requirements of NPPF 2012

10. Piling Method Statement

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and

minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

11.External Noise

Prior to any development above ground floor slab, details of the method of noise mitigation from external road noise to provide internal ambient noise levels in the flats in line with BS 8233:2014 through the appropriate sound insulation performance of both the external wall fabric and the glazing shall be submitted to the Local Planning Authority and approved in writing. Once approved, the approved details shall be implemented prior to the first occupation of the flats, and retained in that form thereafter unless otherwise agreed in writing with the Local Planning Authority.

REASON To protect the occupiers of the flats from external road noise transmission in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

12.Sustainable Development

Prior to any development above ground floor slab a low or zero carbon energy scheme shall be submitted to and been approved in writing by the local planning authority.

The scheme shall show how the design and construction of dwellings will achieve carbon emissions (all dwellings combined) that will be 10% lower than all of the dwellings combined total Target Emission Rate as calculated in accordance with the Building Regulations 2013 Part L and associated Approved Documents.

The scheme shall include (a) an energy statement listing the Target Emission Rate and dwelling emission rate for each Dwelling and calculations to show the combined figures for both; (b) descriptions of building fabric enhancements, building services enhancements or low or zero carbon energy generating equipment proposed to achieve the 10% carbon emissions requirement. Energy generation on site shall not be from biomass.

The scheme shall be implemented as approved and no dwelling shall be occupied until its associated low or zero carbon energy scheme measures have been installed and are operational.

REASON In the interest of sustainable development in particular reducing carbon emissions and in accordance with policy 8 of the Core Strategy 2008

13. Landscaping Scheme

Prior to first occupation a detailed landscaping and tree planting scheme shall be submitted to and approved in writing by the Local Planning Authority. This scheme should include the trees and shrubs to be retained and/or removed and the type, density, position and planting heights of new trees and shrubs.

The approved scheme shall be carried out no later than the first planting season following completion of the development. Within a five year period following the implementation of the scheme, if any of the new 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 in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN3 of The Adopted Local Plan for Slough 2004, and the requirements of NPPF 2012

14. Landscape Management Plan

Prior to first occupation a landscape management plan shall be 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, bike shelters, and bin stores shown on the approved landscape plan secured under condition 10; the Landscaping and structures shall be managed and maintained in accordance with the timeframes set out in the Landscape Management Plan.

REASON To ensure the long term retention of landscaping within the development to meet the objectives of Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN3 of The Adopted Local Plan for Slough 2004, and the requirements of NPPF 2012

15. External Site Lighting

No part of the development hereby permitted shall be occupied 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, Policy EN3 of The Adopted Local Plan for Slough 2004, and the requirements of the NPPF 2012.

16. Boundary Treatment

No part of the development hereby permitted shall be occupied 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 In the interests of the visual amenity of the area and in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN3 of The Adopted Local Plan for Slough 2004, and the requirements of the NPPF 2012.

17. Car Parking

The parking spaces and turning area shown on the approved plan (Drawing No. 3 of 16; Dated 24/10/2017; Rec'd 21/02/2018) 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 on a communal basis.

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 Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy T2 of The Adopted Local Plan for Slough 2004, and the requirements of the NPPF 2012.

18. Electric vehicle charging points

No part of the development shall be occupied until 3 electric vehicle fast charging bays with 3 electric vehicle charging points shall be implemented in full working order. The electric vehicle fast charging bays and points shall be installed and maintained in accordance with the manufacturer's requirements, and be retained and made available at all times in the future in association with the development hereby permitted.

REASON: In the interest of ensuring satisfactory parking provision and the provision of sustainable modes of transport for occupiers of the development and to protect from overspill parking on the public highway site in accordance with the objectives of the Slough Local Transport Strategy, Policy T2 of the Local Plan for Slough 2004, Core Policies 7 and 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document Adopted 2008, and the requirements of the National Planning Policy Framework 2012.

19. Refuse and Recycling

The refuse and recycling facilities as shown on the approved plan (Drawing No. 3 of 16; Dated 24/10/2017; Rec'd 21/02/2018) shall be provided on site prior to 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 Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy T8 of The Adopted Local Plan for Slough 2004, and the requirements of the NPPF 2012.

20. Cycle Parking

The individual secured cycle lockers and sheltered cycle racks on the approved plan (Drawing No. 3 of 16; Dated 24/10/2017; Rec'd 21/02/2018) shall be provided on site prior to 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 Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy T8 of The Adopted Local Plan for Slough 2004, and the requirements of the NPPF 2012.

21. Vehicular Access

No part of the development hereby permitted shall be occupied until the vehicular access has been completed including any associated works within the public highway of Galvin Road.

REASON In the interest of the free flow of traffic and conditions of general safety on the adjoining highway in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy T8 of The Adopted Local Plan for Slough 2004, and the requirements of the NPPF 2012.

22. Visibility Splays

No part of the development shall be occupied until the following pedestrian and vehicular visibility splays have been provided:

- Pedestrian visibility splays of 2.4 x 2.4 metres on both sides of the access.
- Vehicular visibility splays on the south side of the access between a point 2.4 metres along the centre line of the access measured from the edge of the carriageway and a point 18m metres along the edge of the carriageway measured from the intersection of the centre line of the access. Visibility splays shall be provided on the north side of the access between a point 2.4 metres along the centre line of the access measured from the edge of the carriageway and a point 43m metres along the edge of the carriageway measured from the intersection of the centre line of the access.

The area contained within the visibility splays as above 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 Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy T8 of The Adopted Local Plan for Slough 2004, and the requirements of the NPPF 2012.

23. Height of the under pass

The height of the vehicle access where it passes under the building shall be a minimum of 3.9m between the surface of the access way and the lowest point of the underside of the building.

REASON : In the interest of highway safety in particular to allow service vehicle access to the development off the public highway, in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy T8 of The Adopted Local Plan for Slough 2004, and the requirements of the NPPF 2012.

24. Secured by Design

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Any security measures to be implemented in compliance with this condition shall seek to achieve the 'Secured by Design' accreditation awarded by Thames Valley Police and retained thereafter.

REASON In the interests of creating a safe and attractive environment and designing out crime in accordance with Core Policy 12 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN5 of The Adopted Local Plan for Slough 2004, and the requirements of the NPPF 2012.

25. Car Vehicle Access Gate or Shutter Distance

No vehicle access gates, roller shutters doors or other vehicle entry barriers or control systems shall be installed on the entrance or along any part of the access road within the site without first obtaining permission in writing from the Local Planning Authority

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development, and in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the requirements of the NPPF 2012.

26. Car Park Lifts

The car park lifts hereby approved shall be retained and maintained in good working order at all time in the future.

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 Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy T2 of The Adopted Local Plan for Slough 2004, and the requirements of the NPPF 2012.

27. Lift Noise

The car lifts shall hereby approved shall not result in any audible noise or the sensation of vibrations from within the flats hereby approved at any time.

REASON To protect the occupiers of the flats form noise and vibration transmission from within the site in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008

28. Ancillary Gym

The gymnasium hereby permitted shall be used ancillary to the main residential use only and for no other purposes.

REASON In order to prevent additional parking on the surrounding highway and ensure the use remains appropriate alongside the residential flats hereby approved in accordance with Core Policies 7 and 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN1 of The Adopted Local Plan for Slough 2004, and the requirements of the NPPF 2012

29. Obscured glass panels

The obscured toughened glass panels on the top floor terrace areas as shown on drawing No. 9 of 16; Dated 24/10/2017; Rec'd 30/01/2018 shall be obscurely glazed to the extent that inter-visibility is excluded and be 10.8 metres in height from the finished floor level of the terrace. The obscured toughened glass panels shall be fully installed prior to first occupation and retained in at all times in the future in good working order.

REASON To protect the privacy of the occupiers of the flats in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN1 of The Adopted Local Plan for Slough 2004, and the requirements of the NPPF 2012

30.No amenity space to southeast terrace

The terrace area to the southeast side of the building as annotated as 'No Access' on drawing No. 9 of 16; Dated 24/10/2017; Rec'd 30/01/2018 shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

REASON To protect the privacy of the neighbouring occupiers of the

flats in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN1 of The Adopted Local Plan for Slough 2004, and the requirements of the NPPF 2012

PREVIOUS COMMITTEE REPORT

P/01766/025

1.0 **SUMMARY OF RECOMMENDATION**

- 1.1 Having considered the relevant policies set out below, and comments from consultees and neighbouring occupiers, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager for approval, subject to revisions to the top floor terrace; the inclusion of angled (cantilevered) bay windows to the southeast elevation; the provision of any viable affordable housing and/or education contributions through a section 106 agreement; consideration of any requirements from relevant consultees, finalising conditions, and any other minor changes.
- 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 full planning application for:

- Construction of a six storey residential building comprising 28 residential flats (14no. 1 bed; 14no. 2 bed).
- Ancillary gymnasium and reception lobby at ground floor
- Part-undercroft parking for 25 cars.

The application was originally submitted with plans for 24no. 3 bed flats with 29 car parking spaces, however the proposal has since been revised to the above mix.

3.0 **Application Site**

- 3.1 The site is located just outside a defined business area (Slough Trading Estate), and next to residential flats. The neighbouring buildings to the north east and east are three storey flats on Thirkleby Road. To the north are garages serving the flats in Thirkleby Road flats and further north is a large data centre building. To the west is the wide verge of Galvin Road and the Slough Trading Estate. To the south on the Bath Road frontage is the current site access and wide grass verge where works are being carried out to install proposed Slough Mass Rapid Transit (SMaRT) network.
- 3.2 A three storey office building was the last building to accommodate the site but has since been demolished. The previous building was positioned in the

middle of the site with windows on each elevation and parking to the front and rear. The eastern side elevation was approximately 15 metres away from the nearest flats. The northern rear elevation was approximately 20 metres from the southern elevation of flats to the north.

3.3 The surrounding area is urban in character with the buildings comprising a mix of different uses, styles and finished in a variety of different materials

4.0 **Relevant Site History**

- 4.1 P/01766/023 Demolition of existing buildings (3 storey) & construction of a 7 storey hotel with 99 rooms, restaurant/cafe, and basement car parking (access from Galvin Road)
Approved with Conditions; Informatives; 21-Feb-2017
[Extant]
- P/01766/022 Demolition of existing 3 storey building and construction of 6 storey mixed use hotel scheme, with 81 bedrooms and basement car park.
Approved with Conditions; Informatives 06-Mar-2015
- P/01766/020 Demolition of building and erection of 53 flats (10 two bedroom: 43 one bedroom) in a six storey building and off street parking for 58 cars
Refused; 06-Jun-2007
- P/01766/019 Demolition of existing building and construction of part five, part six storey building for 54 flats (45 one bed; 7 two bed; 2 three bed) and off street parking for 54 cars
Refused; 19-Jul-2005
- P/01766/018 Addition of fourth storey & erection of three storey extensions to front & the rear (amended plans received on 15/01/2001)

Approved with Conditions; 31-Jan-2001
- P/01766/008 Erection of 11 no 2-bed flats (details)
Approved with Conditions; 18-Aug-1980

(Full history available on file)

5.0 **Neighbour Notification**

- 5.1 Flat 4, Kingsmead House, Thirkleby Close, Slough, SL1 3XJ, Flat 7, Kingsmead House, Thirkleby Close, Slough, SL1 3XJ, Flat 8, Kingsmead House, Thirkleby Close, Slough, SL1 3XJ, Flat 11, Kingsmead House, Thirkleby Close, Slough, SL1 3XJ, Flat 12, Kingsmead House, Thirkleby Close, Slough, SL1 3XJ, Flat 3, Kingsmead House, Thirkleby Close, Slough, SL1 3XJ, Flat 5, Kingsmead House, Thirkleby Close, Slough, SL1 3XJ, Flat 6, Kingsmead House, Thirkleby Close, Slough, SL1 3XJ, Flat 9, Kingsmead House, Thirkleby Close, Slough, SL1 3XJ, Flat 1, Kingsmead House,

Thirkleby Close, Slough, SL1 3XJ, Flat 10, Kingsmead House, Thirkleby Close, Slough, SL1 3XJ, Flat 2, Kingsmead House, Thirkleby Close, Slough, SL1 3XJ, 52, Thirkleby Close, Slough, SL1 3XF, 53, Thirkleby Close, Slough, SL1 3XF, 54, Thirkleby Close, Slough, SL1 3XF, 49, Thirkleby Close, Slough, SL1 3XF, 50, Thirkleby Close, Slough, SL1 3XF, 51, Thirkleby Close, Slough, SL1 3XF, American Golf, 175, Bath Road, Slough, SL1 4AA, 171, Bath Road, Slough, SL1 4AA, 40, Thirkleby Close, Slough, SL1 3XF, 41, Thirkleby Close, Slough, SL1 3XF, 42, Thirkleby Close, Slough, SL1 3XF, 43, Thirkleby Close, Slough, SL1 3XF, 37, Thirkleby Close, Slough, SL1 3XF, 38, Thirkleby Close, Slough, SL1 3XF, 39, Thirkleby Close, Slough, SL1 3XF, 48, Thirkleby Close, Slough, SL1 3XF, 44, Thirkleby Close, Slough, SL1 3XF, 45, Thirkleby Close, Slough, SL1 3XF, 46, Thirkleby Close, Slough, SL1 3XF, 47, Thirkleby Close, Slough, SL1 3XF, Mansour House, 188, Bath Road, Slough, SL1 3XE, Unatrac Ltd, 188, Bath Road, Slough, SL1 3GA, Chiltern International Ltd, 171, Bath Road, Slough, SL1 4AA

5.2 Revised plans were received 23/10/2017, and neighbours were re-notified on 13/11/2017. In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) two site notices were displayed outside the site on 03/11/17. The application was advertised as a major application in the 03/11/0217 edition of The Slough Express.

5.3 No letters of representation have been received. The consultation period ends on 27/11/2017. Should any representation letters be received before planning committee, they will be included on the update sheet.

6.0 **Consultations**

6.1 **Local Highway Authority:**

Case Officer Note: The following comments are based on the plans originally submitted with the application and do not take into account the revised plans received on 06/11/2017 which attempt to address the parking issues raised by the Local Highway Authority. At the time of writing, no further comments have been received from the Local Highway Authority relating to the revised plans.

Local Highway Authority comments:

There is an extant planning permission for a 7 storey hotel with 99 rooms, a restaurant / café, and basement car parking, with access from Galvin Road (ref P/01766/023).

Vehicle Access

- A new access is proposed from Galvin Road. This is the same as that approved under the extant permission on the site and is acceptable in terms of location;
- I think that visibility can be achieved 2.4m x 18m to the south, which is

acceptable as this will be the junction of the one-way bus lane and 2.4m x 43m to the north;

- Pedestrian visibility splays of 2.4m x 2.4m need to be provided on both sides of the access which can be achieved.

Pedestrian / Cycle Access

- An existing footway/ cycleway runs along Bath Road in the vicinity of this site.

Trip Generation

- No trip generation estimates have been included in the Transport Statement (TS), but one would expect trip generation to be less than that for the hotel;

Car Parking

- 29 parking spaces are included in the proposals (i.e. 1.2 spaces per unit). As the site is outside the Town Centre it is required to meet the minimum residential parking standards in the Local Plan, which state that for 3-bed flats 1.75 space per flat is required, assuming all parking is communal. This would result in a need for 42 spaces. Therefore the 29 spaces proposed is a shortfall of 13 spaces, which should not overspill onto local roads. A highway objection should be raised on shortfall of parking;
- A s106 obligation should be secured that makes residents of the development ineligible to receive on-street parking permits in any existing or future residents parking schemes;
- These are provided at ground floor level, with some undercroft below the building; it therefore needs to comply with the guidance included in the latest version of the Institution of Structural Engineers guidelines "Design Recommendations for Multi-storey and Underground Car Parks";
- Vehicle swept paths have been provided in the TS for a selection of the spaces; these are acceptable;
- The provision includes three disabled spaces; the location of one of these directly in front of the access door is rather awkward and should be repositioned;
- The provision includes four spaces that would be operating as parking lifts (i.e. with two vehicles stacked, thus providing 8 spaces). These are not acceptable in this type and scale of development; it is not clear how they would operate and be maintained; the spaces do not appear large enough to accommodate such operation, and should not be up against other spaces with the potential for safety concerns with pedestrians, including children, walking around. These should be designed out of the scheme;
- There is not 6m between the spaces at the entrance i.e. between space 1 and spaces 26 to 28. This is not acceptable as 6m is required;
- The whole parking layout and provision needs to be re-thought for the

site.

Cycle Parking

- A cycle store is included in the proposals, which includes 14 x 2-tier racks, thus 28 spaces in total, in accordance with the required provision;
- Individual cycle stores should be provided measuring a minimum of 2m in length x 2m in height and 1m in width for each flat. This would help to some respect to make up for the shortfall of parking.

Refuse Collection and Servicing

- A bin store is included close to the entrance. This includes six eurobins. The development would only require 4 bins, so this store is considered large enough;
- This is located just in excess of 10m from the adopted highway. However it is considered that with the turning head provided ensures a refuse vehicle would be able to enter the site and turn to exit the site in forward gear. A swept path analysis for a large refuse vehicle is included in the TS shows that although tight, this is possible;
- The headroom clearance within the ground floor undercroft from floor to soffit is 4m which is considered sufficient to allow large vehicles such as refuse collection vehicles to enter and exit the site;
- Other service vehicles / deliveries for the flats would be able to also use this turning head to manoeuvre on site; A swept path for a 7.5T van is included in the TS and this demonstrates that it can manoeuvre appropriately;
- However the access road is quite narrow (4.3m) and should be wider to enable a standard car to pass a delivery or refuse vehicle.

Local Highway Authority Recommendation:

The application is recommended for refusal from a highways and transport perspective for the following reason(s):

The development fails to provide car parking in accordance with adopted Slough Borough Council standards and if permitted is likely to lead to additional on street car parking or to the obstruction of the access to the detriment of highway safety and convenience. The development is contrary to Slough Borough Council Local Plan Policy T2.

6.2

Thames Water

Waste Comments

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.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to developer.services@thameswater.co.uk to determine if a building over / near to agreement is required.

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries

should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."

Water Comments

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.

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.

6.3 **Neighbourhood Protection / Environmental Services**

No comments received. Should any comments be provided they will be reported on the amendment sheet

6.4 **Contaminated Land Officer**

I have reviewed the historical records available for the above property. Historical mapping indicates that there is no evidence to suggest that the site has ever been used for an industrial purpose.

The nearest potential source of contamination is the Galvin & Thirkleby landfill located approximately 20 m to the west and 60 m to the north of the proposed development. The Landfill encompasses the land under 20 Wellcroft Road, 175 Bath Road, 188 Bath Road and bends round under 673 Galvin Road.

The Environment Agency carried an inspection at the landfill on 30 September 1990. The inspection report indicates that soil and vegetation cover were present, and also that there were no visible cracks, no visible waste, no impermeable cap, no signs of vegetation stress, no odour, and no gas bubbles evident. Other comments state that "gas tec of the area revealed little gas (2-3ppm max)"; reported atmospheric conditions: 1024 mbar. A second inspection undertaken on 9 November 1994 revealed maximum gas tec readings of 50 ppm in drains (barometric pressure 1000 mbars). Gas tec readings in 1994 were <1 ppm on Thirkleby Close and Wellcroft Road; the drain on Galvin Road level with the r/o Thirkleby Close garages on the western side of the road gave a 10 ppm reading; a reading of 50 ppm was recorded in the drain on the eastern side of the road, and 30 ppm reading in the drain on the eastern side close to the junction with Bath Road gave 30 ppm.

Given the age of the landfill, as well as the findings of the previous inspections by the Environment Agency, it is unlikely that there would be any significant risks from ground and landfill gas associated with the proposed development. In addition, the proposed under-croft carpark will act as a passive vent for potential ground gas accumulation into the building. However, one should be mindful of other unforeseen hotspots of contamination which could be revealed during the redevelopment.

Based on the above information, I recommend that a Watching Brief is kept throughout the construction phase of the proposed development.

6.5 **Environmental Quality**

Air Quality Background

Slough Borough Council (SBC) has designated 4 Air Quality Management Areas (AQMA) due to elevated concentrations of Nitrogen Dioxide (NO₂, annual average), including:

- Slough Town Centre
- M4
- Tuns lane
- Brands Hill

While particulate matter concentrations do not breach EU Limit Values, levels in Slough are higher than both the national and regional averages and it is estimated that 1 in 20 deaths are attributable to PM_{2.5} in Slough (PHE).

The application has been assessed in relation to air quality considerations in line with the objectives (3b, 3c, 3d) of the draft Low Emission Strategy (LES 2017-25) and 'Land-Use planning and Development Management' guidance found in Section 3.3 of the draft LES. This section of the LES is attached as a separate document.

Air Quality Comments

In line with the draft LES guidance, the scheme is classified in terms of air quality impact as MINOR and does not require a full air quality assessment, subject to the following criteria being met:

- The scheme will not create unacceptable and relevant exposure to air pollution for future occupants
- The scheme will incorporate TYPE 1 on-site and mitigation detailed below

With reference to SBC air quality monitoring and modelling data, the scheme is not within an AQMA and NO₂ concentrations should not create unacceptable exposure to future occupants subject to the facade of the

residential dwellings being 20m or greater from the kerb of the Bath Road, which has an annual average daily traffic flow (AADT) of >10,000 vehicles.

Type 1 Mitigation

Electric Vehicle Charging

In line with Paragraph 35 of the National Planning Policy Framework (NPPF), the scheme shall incorporate on-site electric vehicle charging provision in line with Table 7 of the LES guidance.

This amounts to the provision of 3 charging outlets. Given the high take-up of plug in vehicles in Slough and plans for expansion under the Slough Electric Vehicle plan, it is recommended that suitable cabling is provided to allow further charging points to be installed at a later date. Further information on charge point specifications can be obtained from SBC.

Heating

Little detail is provided. Heating plant emissions shall be in line with the requirements of Table 7 in the draft LES Guidance.

Construction

The applicant shall submit details of either a Construction Environmental Management Plan (CEMP) or similar robust code of construction practice to be followed during the demolition and construction phase.

All construction vehicles shall be a minimum Euro 6/VI Standard.

Noise Comments

Given proximity to the Bath Road (AADT >10,000) the application requires an Acoustic Design Statement (ADS) in line with National Planning Practice Guidance on noise and the Institute of Acoustics Guidance (ProPG) which has now been submitted.

The reports conclusions that noise shouldn't impact on the amenity of the flats (except balconies facing the road which don't count) subject to glazing with a sound insulation performance of 29 dB Rw (i.e. 4mm glass / 6mm airspace / 4mm glass) is supported by local measurements carried out

The report has a few issues - it says it lays out the ventilation strategies while going on to say that it doesn't know what or whether mechanical ventilation is to be used. The report does suggest that suitable noise levels can be achieved with double glazing and passive ventilation

I don't know if you want to include a condition on noise for completeness - if so, would suggest "Suitable internal ambient noise levels in the apartments should be achieved in line with BS 8233:2014 through the appropriate sound insulation performance of both the external wall fabric and the glazing"

Lead Local Flood Authority

Consideration	Covered	Comments
1. Site Details	Yes	All relevant c
2. Flood Risk	Yes	Flood Risk h area falls un Flood Zone ' of high risk o
3. Existing and Proposed Impermeable Area	No	Existing and area not prov
4. Proposed Discharge Points for Surface Water	No	No drainage provided Proposed dra provided
5a. Peak Discharge Rates – Greenfield Sites	No	Site has bee
5b. Peak Discharge Rates – Brownfield Sites	N/A	No existing c been provide Runoff rates proposed de
6. Flow Controls	No	No drainage provided Confirm prop managing su
7. Volume control	No	No calculatic a drainage la approach to Provide drain drainage net calculations :
8. How is Storm Water Stored on Site?	No	No details pr approach to Provide drain storage volu hydraulic cal flooding.
9. SuDS for Roads	N/A	Access from
10. Additional Consideration	No	Overland exc blockage or f not provided Developer to exceedance managed (th
11. Drawings	No	Detailed site and cross se

		Developer st drainage pla sections of a can be CON
12. Construction	No	No details pr construction. Developer to water manag to be provide CONDITION
13. Management and Maintenance of SuDS	No	Maintenance for the block adopter /mai schedule pro Developer to regarding the adoption of ti be provided CONDITION

6.7 **Crime Prevention Design Advisor**

No comments received. Should any comments be provided they will be reported on the amendment sheet

6.8 **Affordable Housing Officer**

No comments received. Should any comments be provided they will be reported on the amendment sheet

6.9 **Development Viability Consultant**

No comments received. Should any comments be provided they will be reported on the amendment sheet

6.10 **Planning Policy**

No objection to the principle of development

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1 **National Planning Policy Framework and National Planning Policy Guidance:**

Core Policies: Achieving Sustainable Development

Chapter 4: Promoting sustainable transport

Chapter 6: Delivering a wide choice of high quality homes

Chapter 7: Requiring good design

Chapter 8: Promoting healthy communities

Chapter 10: Meeting the challenge of climate change, flooding and coastal change

Chapter 11: Conserving and enhancing the natural environment

The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008

Core Policy 1 – Spatial Strategy

Core Policy 3 – Housing Distribution

Core Policy 4 – Type of Housing

Core Policy 5 - Employment

Core Policy 6 – Retail, Leisure, and Community Facilities

Core Policy 7 – Transport

Core Policy 8 – Sustainability and the Environment

Core Policy 10 – Infrastructure

Core Policy 12 – Community Safety

The Adopted Local Plan for Slough 2004

EN1 – Standard of Design

EN3 – Landscaping

EN5 – Design and Crime Prevention

H9 – Comprehensive Planning

H11 – Change of Use to Residential

H14 – Amenity Space

T2 – Parking

T8 – Cycle Network and Facilities

T9 – Bus Network and Facilities

Other Relevant Documents/Guidance

- Local Development Framework Site Allocations Development Plan Document
- Slough Borough Council Developer's Guide Parts 1-4
- Proposals Map
- Flat Conversions Guidelines
- Slough Borough Council's Draft Low Emission Strategy (LES 2017-25)
- ProPG: Planning & Noise: Professional Practice Guidance on Planning & Noise. New Residential Development. May 2017

Composite Local Plan – Slough Local Development Plan and the NPPF - PAS Self Assessment Checklist

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.

7.2 The planning considerations for this proposal are:

- Principle of development
- Impact on visual amenity
- Impact on neighbouring residential amenity
- Living Conditions and Amenity Space for residents
- Crime Prevention
- Highways and Parking
- Drainage
- Air Quality
- Affordable Housing and Financial Contributions

8.0 **Planning history and differences with previous proposal**

8.1 P/01766/023) for the construction of a 7 storey hotel with 99 rooms, restaurant/cafe, and basement car parking was approved in February 2017 is extant but has not been implemented on the site. As this previous proposal can still be built out, in considering the impacts of the proposed development, due consideration should also be given to this previously approved and extant scheme (ref. P/01766/023).

8.2 The development being applied for within this application proposes 28 residential flats over 6 storeys (approx. 2.45 metres lower) and set on a similar footprint, and therefore the positioning, scale and massing remain relatively similar. This application does not propose the basement parking and the design and appearance however are different with the proposal adopting a more typical residential approach compared to the previously approved hotel.

9.0 **Principle of development**

9.1 At the heart of the NPPF is 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.

- 9.2 Core Policy 1 of The Slough Local Development Framework 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.
- 9.3 Core Policy 4 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document again emphasises that high density housing should be located in the Town Centre area and that in urban area outside the Town Centre the development will be predominately family housing at a density related to the character of the area. In particular, in suburban residential areas, there will only be limited infilling consisting of family houses which are designed to enhance the distinctive suburban character and identity of the area.
- 9.4 The proposal for 1 and 2 bed flats does not meet the Core Strategy's definition of family housing. As the site is located just outside a defined business area (Slough Trading Estate), and next to residential flats, the proposal is considered to be located in an urban area. Although Core Policy 4 predominantly seeks family housing in urban areas, the Policy also requires housing to be at a density related to the character of the area. In considering the density of the neighboring flatted developments and the large size of the

surrounding commercial buildings, the proposal is considered to provide a density in keeping with the character of the area, and therefore would comply with this requirement of Core Policy 4.

- 9.5 Having regards to the NPPF and Core Policies 1 and 4 of the LDF Core Strategy, there are no objections to the principle of residential development on this site, nor, having regard to the factors outlined in the paragraph above, to the provision of flats rather than family housing.

Based on the above, the proposal would be acceptable in terms of land use.

10.0 **Impact on Visual Amenity**

- 10.1 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 buildingshousing 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.

- 10.2 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

- 10.3 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.

- 10.4 In considering the visual impacts of the proposed development, due consideration should also be given to the previously approved and extant scheme (ref. P/01766/023), which can still be built out.

- 10.5 The proposal would be six storeys in height including top floor mansard roof set-in from the main elevations and providing accommodation. Compared to the previously approved hotel, the proposed building would be set on a similar footprint and be one storey lower and approximately 2.45 metres lower in height. In terms of scale, bulk, and massing, the proposal would be acceptable as it would be similar to the previously approved hotel.
- 10.6 The proposed building would adopt a more typical residential approach compared the previously approved hotel. The buildings in the surrounding area comprise a mix of different styles and finished in a variety of different materials. The proposed elevations would include yellow stock bricks and be dominated by full height windows positioned in constant rhythm. As the site sits in a location where there is no particular style that defines the vernacular , the proposed style would add to the variety. Subject to an appropriate brick, mortar colour, window frames, balconies and mansard cladding, the proposal would have an acceptable impact on the character and appearance of the area. It is however recommended that samples and details of the finishing materials are submitted to the Council for approval before development begins, which can be secured by condition
- 10.7 Based on the above, the proposal would have an acceptable impact on the character and visual amenity of the area and therefore comply with Policies EN1, EN2 and EN3 of the Local Plan for Slough March 2004, Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, and the requirements of the NPPF 2012
- 11.0 **Impact to neighbouring residential properties**
- 11.1 The impact on adjacent residential properties is assessed against Core Policy 8 and Local Plan Policy EN1.
- 11.2 Core Policy 8 of the Local Development Framework, Core Strategy, states that *“The design of all development within existing residential areas should respect the amenities of adjoining occupiers.”*
- 11.3 Policy EN1 of the Adopted Local Plan states that *“all development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surrounding”*, in accordance with the criteria set out in that policy.
- 11.4 In considering the impacts of the proposed development on the neighbouring residential properties, due consideration should also be given to the previously approved and extant scheme (ref. P/01766/023), which can still be built out.
- 11.5 Compared to the previously approved hotel, the proposed building would be set on a similar footprint and be one storey lower and approximately 2.45 metres lower in height and would be similar in terms of scale, bulk, and

massing. As such, no objections are raised regarding any overbearing impact and/or overshadowing on neighbouring property.

- 11.6 In terms of overlooking and privacy issues, the proposed scheme includes a number of rear facing openings serving habitable rooms that were not included within the previously approved hotel. These openings would overlook the external amenity areas of the neighbouring flats. However, as these areas are already overlooked by flats in the existing blocks, the resulting overlooking would not make the existing situation significantly worse, and therefore would not be unacceptable.
- 11.7 With regard to window-to-window relationships at the rear, the proposed windows would be positioned in such a way that there would be no direct views into existing windows serving the neighbouring flats. Taking this into consideration together with the proposed minimum window-to-window separation distance 17.8 metres, these oblique views would not result in an unacceptable loss of privacy.
- 11.8 The windows proposed within the northern side elevation would provide views into a number of habitable windows in the western end of the block of flats at 49 – 54 Thirkleby Close to the north. At a window-to-window separation distance of approximately 15 metres, the proposal would lead to a loss of privacy of the neighbouring occupiers. In order to overcome this, the scheme should be revised to include angled bay windows in this elevation to direct views to the northwest and away from the existing flats.
- 11.9 The windows proposed within the southeast side elevation would be cantered away from the existing windows in the neighbouring block to a degree that would satisfactorily mitigate an unacceptable loss of privacy.
- 11.10 There are a number of balconies areas serving the units in the rear of the building. The balconies serving levels 1 to 4 would provide oblique views into the windows in the southern end of the flats at 37 to 48 Thirkleby Close, however, with the ample separation distance would not result in an unacceptable loss of privacy. However, conditions should be included to secure privacy screening eastern end of these balconies to prevent overlooking into the windows of the flats to the east at 1 to 10 Thirkleby Close.
- 11.11 The mansard element on the top floor includes a ‘wrap around’ terrace that would serve the four flats on the top level. Although the provision of external amenity space is welcomed in regard to the future occupiers, the terrace area as proposed would provide multiple viewpoints into neighbouring windows, and would result in an unacceptable loss of privacy. It is felt however, that the proposed terrace could be revised to include smaller areas in locations that would not provide clear views into neighbouring windows. As such, permission should not be granted until this element of the proposal has been satisfactorily revised.

- 11.12 The proposal would set away from the remaining neighbouring properties by a distance ample enough to mitigate any neighbouring amenity issues.
- 11.13 Subject to conditions and alterations to the terrace area no objections are raised in terms of the impacts on neighbouring properties and the proposal is considered to be consistent with Core Policy 8 of the Local Development Framework Core Strategy and Policies EN1 and EN2 of the Adopted Local Plan.
- 12.0 **Living Conditions and Amenity Space for residents**
- 12.1 The NPPF 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
- 12.2 Core policy 4 of Council's Core Strategy seeks high density residential development to achieve "a high standard of design which creates attractive living conditions."
- 12.3 Policy H14 of the Adopted Local Plan states that development will only be allowed with the provision of the appropriate amount of private amenity space with due consideration given for type and size of the dwelling, quality of the proposed amenity space, character of the surrounding area in terms of type and size of amenity space and the proximity to existing public open space and play facilities.
- 12.4 The proposed flats would have acceptably sized internal spaces that would comply with the Council's guidelines, and would be served by windows that provide a suitable degree of daylight, aspect, and outlook. Private external amenity space would be obtained through the use of balconies which is considered acceptable for 1 and 2 bed flats.
- 12.5 As the proposed building would be positioned within close proximity to the Bath Road (annual average daily traffic of more than 10,000) a noise report has been submitted which assesses the potential noise impacts on the living conditions of the future occupiers. The submitted Noise Assessment concludes that subject to high performance glazing, the internal areas would provide acceptable noise levels. This can be secured by condition.
- 12.6 Based on the above, the living conditions and amenity space for future occupiers is considered to be in accordance with the requirements of the NPPF, Core policy 4 of Council's Core Strategy, and Policy H14 of the Adopted Local Plan.
- 13.0 **Crime Prevention**
- 13.1 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.

13.2 At the time of writing no comments have been provided by the Crime Prevention Officer. However, Planning Officers are aware of the high crime rate in the Borough, and therefore, it is considered appropriate and proportionate to condition any approval for the development to be capable of achieving Secured by Design accreditation

14.0 **Highways and Parking**

14.1 The NPPF outlines that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. In considering developments that generate significant amounts of movements, Local Authorities should seek to ensure they are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Plans and decisions should take account of whether improvements can be taken within the transport network that cost-effectively limits the significant impact of the development. The NPPF supports the adoption of local parking standards for both residential and non-residential development and also states that development should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and pedestrians.

14.2 Paragraph 32 of the NPPF states that 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'.

14.3 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.

14.4 Local Plan Policy T2 requires residential development to provide a level of parking appropriate to its location and overcome road safety problems while protecting the amenities of adjoining residents and the visual amenities of the area.

14.5 The proposal was originally recommended for refusal by the local highway authority due to a shortfall of car parking on the site. This objection was relayed to the developer and the scheme was then revised from:

- Originally proposed: 28no. 3 bed flats with 29 car parking spaces, to;
- Currently Proposed: 14no 1 bed flats; 14no. 2 bed flats with 25 car parking spaces

14.6 Based on the revised mix, the parking requirement under the local plan is 42 spaces (communal). As 25 car parking spaces are proposed, the proposal falls short of the policy requirement by 17 car spaces. However, due regard

should be given to the potential resulting harm on the surrounding highway network. Other flatted developments within the borough have recently been permitted in urban areas with a relaxation in the local plan's parking requirement where it can be demonstrated that a reliance on vehicle ownership would be less likely compared to the suburban areas. For example, planning permission was recently granted in Petersfield Avenue for 155 flats at Lion House with a parking ratio of 1 space per unit (ref. P/06348/011). BMW House also in Petersfield Avenue was granted permission for 24 flats with a parking ratio of 1 space per unit. In these instances, the relaxation in parking provision was deemed acceptable as the proximity of the sites were within close proximity of the Town Centre and Slough Train Station

- 14.7 This application proposes a ratio of 0.86 parking spaces per unit. Although it is accepted this site is located further from the town centre and train station than the above examples, this site is served by a main bus service, a defined cycle route, and is positioned within walking distance of a large employment area and an approximate 25 minute walk to Slough train station. Furthermore, the proposed flats would be adjacent to the proposed Slough Mass Rapid Transit (SMaRT) that will connect to the town centre and Heathrow. When taking this into consideration with proposed large provision of 1 bed flats, car ownership levels are likely to be lower than the local plan requirement for residential housing in the suburbs. Therefore, in this instance, a relaxation from local plan requirement of 1.45 spaces per unit to 0.86 spaces per unit is considered acceptable.
- 14.8 As it is envisaged the proposed development would attract occupiers with a lower-level of car ownership, it would be prudent to ensure that the parking spaces are not allocated to any flats that may not need one or to also ensure numerous parking spaces are not being taken up by one flat. In order to control this, a Car Park Management Plan should be included which ensures that parking spaces not sold or allocated long term to specific flats.
- 14.9 Based on the above, Planning Officers consider the proposal would not wholly comply with planning policy in terms of parking provision; however no substantial harm has been identified which is considered to justify a recommendation for refusal.
- 15.0 **Air Quality**
- 15.1 Paragraph 120 of the NPPF states the effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area to adverse effects from pollution, should be taken into account. In order to provide a methodical and consentient assessment of these issues, the application is assessed in relation to air quality considerations in line with the objectives (3b, 3c, 3d) of the draft Low Emission Strategy (LES 2017-25) and 'Land-Use planning and Development Management' guidance found in Section 3.3 of the draft LES.

15.2 Due to the proximity of Tuns Lane AQMA in close proximity to the site, the proposal would result in additional traffic travelling through the Tuns Lane AQMA and thereby adding to the already high Nitrogen Dioxide levels. Paragraph 35 of the National Planning Policy Framework (NPPF), seeks for developments to incorporate facilities for charging plug-in and other ultra-low emission facilities wherever practical.

15.3 In line with Table 7 of the LES guidance, 3 charging outlets should be provided within the parking provision in order to provide some mitigation in relation to air quality.

16.0 **Affordable Housing and Financial Contributions**

16.1 Core Policy 1 of the Slough Local Development Framework Core Strategy states that for all sites of 15 or more dwellings (gross) will be required to provide between 30% and 40% of the dwellings as social rented along with other forms of affordable housing.

16.2 Core Policy 10 states that where existing infrastructure is insufficient to serve the needs of new development, the developer will be required to supply all reasonable and necessary on-site and off-site infrastructure improvements. These improvements must be completed prior to the occupation of a new development and should serve both individual and communal needs. Infrastructure includes:

- Utilities (water, sewerage and drainage);
- Transportation;
- Education and skills;
- Health;
- Leisure, community and cultural services; and
- Other relevant services.

16.3 Owing to the number of units proposed, this application would attract financial contributions towards affordable housing and education. The applicant has agreed to meet any reasonable financial contributions towards education.

16.4 With regard to affordable housing a viability assessment has been submitted which concludes that it would not be financially viable to complete the proposed development should either on-site Affordable Housing or Commuted Sums be required as part of the development.

16.5 The submitted viability report is currently being assessed by a third party consultant, and at the time of writing no comments have been received. Should any comments be provided before planning committee then they will be reported on the amendment sheet.

16.6 Subject to the proposed scheme providing any viable affordable housing and/or education contributions, the proposal would comply with Core Policies

17.0 **PART C: RECOMMENDATION**

17.1 Having considered the relevant policies set out below, and comments from consultees and neighbouring occupiers, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager for approval subject to revisions to the top floor terrace; the inclusion of angled bay windows to the southeast elevation; the provision of any viable affordable housing and/or education contributions through a section 106 agreement; consideration of any requirements from relevant consultees, finalising conditions, and any other minor changes

18.0 **PART D: LIST CONDITIONS AND INFORMATIVES (TBC)**

31. Commence within three years
32. Drawing numbers
33. Phase 1 Desk Study and Preliminary Risks Assessment
34. Phase 2 Intrusive Investigation Method Statement
35. Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy
36. Remediation Validation
37. Drainage philosophy
38. Samples of materials
39. Landscaping Scheme
40. Construction Traffic Management Plan
41. Working Method Statement
42. Car Park Management Scheme
43. External site lighting
44. Boundary Treatment
45. No additional windows
46. Refuse and recycling
47. Cycle parking
48. New means of access
49. Redundant means of access
50. Vehicle access gate or shutter distance
51. Pedestrian visibility splays
52. Vehicular visibility splays
53. Electric vehicle charging bays
54. No car parking permit
55. Height of the under pass
56. No piling
57. Secured by Design
58. External noise insulation

INFORMATIVES:

1. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through pre-application discussions. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.
2. All works and ancillary operations during both demolition and construction phases which are audible at the site boundary shall be carried out only between the hours of 08:00hours and 18:00hours on Mondays to Fridays and between the hours of 08:00hours and 13:00 hours on Saturdays and at no time on Sundays and Bank Holidays.
3. Noisy works outside of these hours only to be carried with the prior written agreement of the Local Authority. Any emergency deviation from these conditions shall be notified to the Local Authority without delay.
4. During the demolition phase, suitable dust suppression measures must be taken in order to minimise the formation & spread of dust.
5. All waste to be removed from site and disposed of lawfully at a licensed waste disposal facility.
6. Highways:

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.

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 license must be sought from the Highway Authority.

The applicant must apply to the Highway Authority for the implementation of the works in the existing highway. The council at the expense of the applicant will carry out the required works.