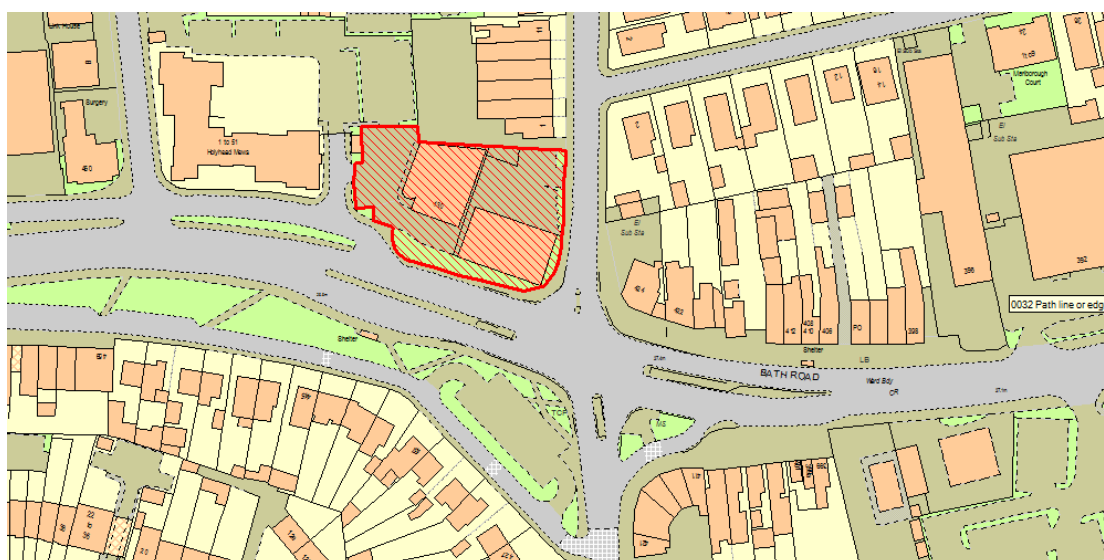


Registration Date:	08-Mar-2017	Application No:	P/00442/014
Officer:	Christian Morrone	Ward:	Haymill & Lynch Hill
Applicant:	Mr. Sean Bates, Feltham Properties Ltd	Application Type:	Major
		13 Week Date:	7 June 2017
Agent:	Mr. James Iles, Pro Vision Grosvenor Court, Winchester Road, Ampfield, SO51 9BD		
Location:	426-430 Bath Road, Slough, SL1 6BB		
Proposal:	Demolition of existing buildings and redevelopment to provide up to 60 dwellings (one, two and three bedroom flats), including access, parking, amenity space, landscaping, boundary treatments and associated infrastructure (Outline application to consider access and scale).		

**Recommendation:** Delegate approval to the Planning Manager for approval subject to completion of a satisfactory S106 Agreement and conditions as set out in 1.1 below.



**P/00442/014 - SUPPLEMENTARY REPORT FOR 20<sup>TH</sup> FEBRUARY**  
**PLANNING COMMITTEE**

**1.0      SUMMARY OF RECOMMENDATION**

- 1.1      Having considered the relevant policies set out below, 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:

A) For approval subject to:-

- 1) the satisfactory completion of a Section 106 to secure the financial contributions towards Affordable Housing, Transport, Education and Leisure and a preclusion on future residents obtaining parking permits as set out above in paragraph 2.2 of this report, and
- 2) finalising conditions; and any other minor changes, or

B) Refuse the application if the completion of the Section 106 Agreement is not finalised by 1<sup>st</sup> May 2019.

**2.0      PART A: BACKGROUND**

**Planning Committee Resolution**

- 2.1      On the 5<sup>th</sup> July 2017 the Planning Committee made a resolution to delegate the decision on the application to the Planning Manager. The application was then brought to the Planning Committee again on 5<sup>th</sup> September 2018 due to changes around the viability of the proposal and surface water drainage issues as set out within Sections 5.0 and 6.0 of the previous Supplementary Planning Committee Report. On the 5<sup>th</sup> September, Members agreed to the changes and the application was delegated back to the Planning Manager for approval subject to completing a Section 106 to secure the planning obligations set out below, or to refuse the application if a satisfactory S106 Agreement was not be completed by 1st March 2019

- 2.2      As set out in the previous Supplementary Planning Committee Report and Amendment Sheet, the applicant has agreed to provide the following financial contributions for the outline scheme:-

- Affordable Housing - £254,589;
- Education - £6,634;
- Recreation - £250 per unit = £15,000 for 60 units;
- Traffic Regulation Order - £3,000;
- Transport – Real time Passenger Information Screens for 2

nearest bus stops - £15,000

- Transport - Car Club Contribution - £30,000;
- Transport - Increased Trips / Movements - £36,777;
- Air Quality - £10,000
- Viability Review Mechanism
- Preclusion on future residents obtaining parking permits

### **3.0 Revisions to the Proposal**

- 3.1 Since the application was delegated back to the Planning Manager on 5<sup>th</sup> September 2019, the Section 106 Agreement has been making progress, however it is taking longer than anticipated to complete due to existing leaseholders on the site. It is therefore recommended to revise the recommendation to extend the time limit for its completion from 1<sup>st</sup> March 2019 to 1<sup>st</sup> May 2019 in order to allow for the completion of the Section 106.

### **4.0 PART B: RECOMMENDATION**

- 4.1 Having considered the relevant policies set out below, 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:

A) For approval subject to:-

- 1) the satisfactory completion of a Section 106 to secure the financial contributions towards Affordable Housing, Transport, Education and Leisure and a preclusion on future residents obtaining parking permits as set out above in paragraph 2.2 of this report, and
- 2) finalising conditions; and any other minor changes, or

C) Refuse the application if the completion of the Section 106 Agreement is not finalised by 1<sup>st</sup> May 2019.

### **6.0 PART D: CONDITIONS**

#### **6.1 DRAFT 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 appearance of the development; and

- Detailed landscaping strategy, including details of proposed maintenance or of alternative new planting.

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. Timing for Reserved Matters

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. Parameters for development

The scale of the building to come forward under a Reserved Matters application is not to exceed the parameters established in drawing 2189/4-01 Rev B dated December 2016 shall not exceed 19.8m to the ridge and to 18m to the eaves. The building shall remain at a two storey height (6-7m) at a distance of approx .15m from number 1 Station Road.

REASON: To prevent the final scheme being taller, bulkier and having more general impact than the scheme presented at outline noting that Scale is a matter to be determined.

## 4. Approved Plans

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

- (a) Drawing No. 2189/1-01 Rev B Received 15th March 2017 (site plan)

(b) Drawing No. 2189/1-02 Rev B Received 15th March 2017 (access / layout plan)

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.

## 5. Contaminated Land

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1 A preliminary risk assessment which has identified:

- all previous uses;
- potential contaminants associated with those uses;
- a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site. (already discharged)

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) 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.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) 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 written consent of the local planning authority. The scheme shall be implemented as approved.

Reason - The geology under this site is the Shepperton Gravel Member (Principal Aquifer) over the Lambeth Group (Secondary A Aquifer) and at depth is the Chalk (Principal Aquifer). The site is within a total catchment area for a potable water supply abstracting from The Chalk. These aquifers need to be protected from any contamination that could potentially be mobilised during development

of this site.

6. Contaminated land verification report

Prior to any part of the permitted development being brought into use a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by 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.

REASON The geology under this site is the Shepperton Gravel Member (Principal Aquifer) over the Lambeth Group (Secondary A Aquifer) and at depth is the Chalk (Principal Aquifer). The site is within a total catchment area for a potable water supply abstracting from The Chalk. These aquifers need to be protected from any contamination that could potentially be mobilised during development of this site.

7. 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 and in consultation with Thames Water, the Lead Local Flood Authority, and the Environment Agency. 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 2018

8. Samples of external materials

Samples of external materials to be used in the construction of the buildings, waste storage areas, cycle storage or other structures including the access road and related pathways within the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to development other

than demolition and ground works. 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.

#### 9. 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:

- (i) control of noise
- (ii) control of dust, smell and other effluvia
- (iii) control of surface water run off
- (iv) site security arrangements including hoardings
- (v) proposed method of piling for foundations
- (vi) construction and demolition working hours, hours during the construction and demolition phase, when delivery vehicles taking materials are allowed to enter or leave the site.
- (vii) Minimise, re-use and re-cycle waste, including materials and waste arising from demolition
- (viii) Minimise the pollution potential of unavoidable waste;
- (ix) 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 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

#### 10. Sustainable Design and Construction

Construction of the building above damp proof course level shall not commence on site until a low or zero carbon energy scheme has been 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) at (% TBA) lower than all of the dwellings combined for 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 a better than Building Regulation 2013 Part L 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 and the approved measures shall be retained thereafter

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

#### 11. Piling

Piling using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

REASON The T & P Regeneration Ltd Phase 1 Desk Study states that a piled foundation solution may be required for this site. The contaminative status of this site needs to be established to avoid the use of deep penetrative foundations forming pathways for mobilisation of contaminants

#### 12. External site lighting

Prior to development other than demolition and ground works 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 the amenities of the area and to comply with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

#### 13. Cycle parking



Prior to development other than demolition and ground works, 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 Adopted Local Plan for Slough 2004, and to meet the objectives of the Slough Integrated Transport Strategy.

#### 14. Bin stores

Prior to development other than demolition and ground works, details of the proposed bin stores (to include siting, design, height external materials) have been submitted to and approved in writing by the Local Planning Authority. The approved stores shall be completed prior to first occupation of the development and retained at all times in the future for this purpose.

REASON In the interests of visual amenity of the site in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004.

#### 15. Crime Prevention

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. These security measures shall be submitted to and approved in writing by the Local Planning Authority prior to development other than demolition and ground works. These security measures shall achieve the 'Secured by Design' accreditation awarded by Thames Valley Police and The development shall be carried out in accordance with the details approved.

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

#### 16. Surface water drainage restriction

No infiltration of surface water drainage into the ground at 426-430

Bath Road, Slough SL1 6BB is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON The geology underlying the site is the Shepperton Gravel Member (Principal Aquifer), Lambeth Group (Secondary A Aquifer) and at depth in the Chalk (Principal Aquifer). In order to protect these aquifers from mobilisation of contamination due to the use of soakaways, the contaminative status of this parcel of land needs to be known.

INFORMATIVE(S):

1. A section 106 agreement accompanies this outline planning permission.
2. 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.
3. 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.

1. Highways:

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 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.

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.

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 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.

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.

# **PLANNING COMMITTEE**

## **5<sup>th</sup> September 2018**

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

**P/00442/014: 426-430 Bath Road**

**Agenda Item 9**

### **1. Update to Affordable Housing contributions.**

1.1 Following further interrogation of the of the submitted viability assessment, the developer has agreed to increase the Affordable Housing contributions from £150,000 to £254,589. The schedule set out in Paragraph 6.1 should therefore be updated to the following:

- Affordable Housing - £254,589;
- Education - £6,634;
- Recreation - £250 per unit = £15,000 for 60 units;
- Traffic Regulation Order - £3,000;
- Transport - Realtime Passenger Information Screens for 2 nearest bus stops - £15,000
- Transport - Car Club Contribution - £30,000;
- Transport - Increased Trips / Movements - £36,777;
- Air Quality - £10,000
- Preclusion on parking permits

### **2. Update to Sustainable Drainage**

2.1 The Addendum Report to Planning Committee states a drainage strategy has been submitted and can be secured by condition. However, the Environment Agency has asked to be consulted due to the proposed infiltration method of drainage being proposed within heavily contaminated site. In accordance with the Ministerial Statement (HCWS161), the Local Planning Authority need to be satisfied the site will be satisfactorily drained in accordance with SUDS requirements and if applicable Thames Water's agreed discharge rate before planning permission is granted.

2.2 As such, a condition is required requiring a drainage strategy to be approved in consultation with the Environment Agency and the Lead Local Flood Authority.

### **3. PART C: RECOMMENDATION (Changed)**

3.1 Delegate to Planning Manager for 1) approval subject to: the submission of an acceptable drainage strategy following consultation with the Lead Local Flood Authority and the Environment Agency, the completion of a satisfactory Section 106 planning obligation securing financial contributions as specified in paragraph 1.1, a review mechanism relating to infrastructure and affordable housing, and a preclusion on future residents obtaining parking permits, and conditions listed in the main report and below, and any finalising of them. Or, 2) refusal should a satisfactory S106 Agreement not be completed by 1st March 2019.

### **4. PART D: CONDITIONS AND INFORMATIVES (Additional conditions)**

4.1 Remove the existing drainage condition (condition 15) and replace with a compliance condition once the drainage strategy has been approved, similar to as follows:

Condition:

The surface water control measures shall be carried out in accordance with the following details:-

[To be confirmed on approval from Environment Agency and the Lead Local Flood Authority].

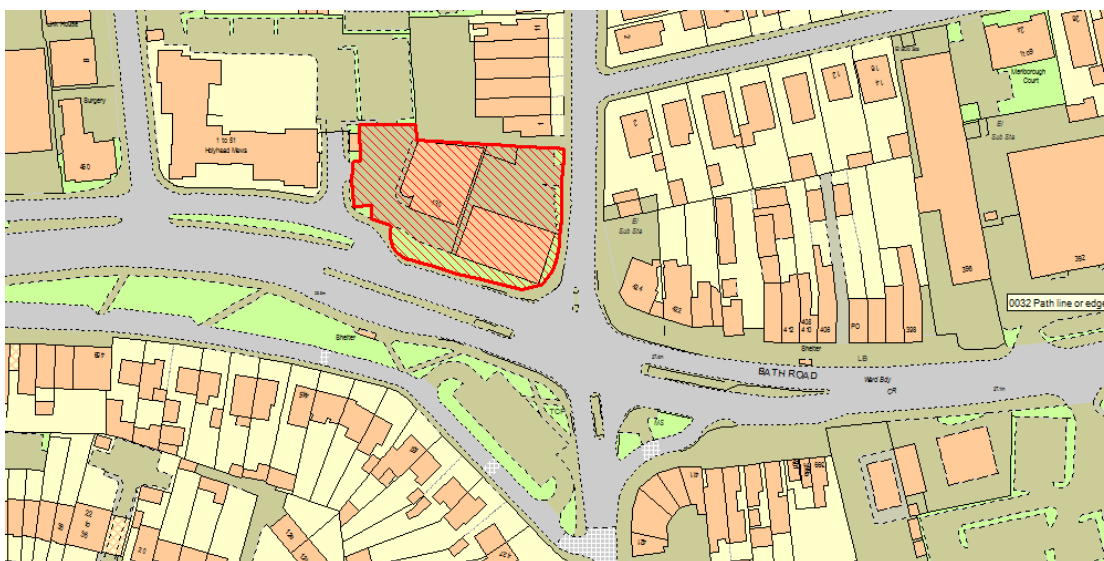
The surface water control measures shall be retained thereafter and the drainage system shall be managed and maintained for the lifetime of the development in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. No other drainage or infiltration into the ground at 426-430 Bath Road, Slough SL1 6BB is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON To ensure that surface water discharge from the site is satisfactory and shall not prejudice the existing sewerage systems in accordance with Policy 8 of the adopted Core Strategy 2006 - 2026.

**THE FOLLOWING IS THE SUPPLEMENTARY PLANNING COMMITTEE REPORT**  
**DATED 5<sup>TH</sup> SEPTEMBER 2018**

Registration Date:	08-Mar-2017	Application No:	P/00442/014
Officer:	Janet Ferguson	Ward:	Haymill & Lynch Hill
Applicant:	Mr. Sean Bates, Feltham Properties Ltd	Application Type:	Major
		13 Week Date:	7 June 2017
Agent:	Mr. James Iles, Pro Vision Grosvenor Court, Winchester Road, Ampfield, SO51 9BD		
Location:	426-430, Bath Road, Slough, SL1 6BB		
Proposal:	Demolition of existing buildings and redevelopment to provide up to 60 dwellings (one, two and three bedroom flats), including access, parking, amenity space, landscaping, boundary treatments and associated infrastructure (Outline application to consider access and scale).		

**Recommendation:** Delegate approval to the Planning Manager for approval subject to completion of a satisfactory S106 Agreement and conditions.



## **P/00442/014 SUPPLEMENTARY REPORT**

### **1.0 SUMMARY OF RECOMMENDATION**

- 1.1 Delegate to Planning Manager for 1) approval subject to: completion of a satisfactory Section 106 planning obligation securing financial contributions towards Transport, Education and Leisure and a preclusion on future residents obtaining parking permits as set out in the previous resolution to grant planning permission dated 5<sup>th</sup> July 2017 and for the new provision of an affordable housing contribution as set out in this supplementary report and conditions listed below, and any finalising of them. Or, 2) refusal should a satisfactory S106 Agreement not be completed by 1<sup>st</sup> March 2019.

### **2.0 PART A: BACKGROUND**

#### **Planning Committee Resolution**

- 2.1 At the 5<sup>th</sup> July 2017 the Planning Committee made a resolution to delegate the decision on the application to the Planning Manager. This resolution was subject to the completion of a S106 agreement to secure Education, Transport and Leisure financial contributions plus the provision of on site affordable housing as well as a preclusion for future occupiers not to obtain parking permits; and on the basis that acceptable surface water drainage arrangements were to be agreed.
- 2.2 The previous Planning Committee report and the Amendment Report are attached at the end of this Supplementary Report for ease of reference.
- 2.3 It is noted that a further 'outline' planning application (reference P/00442/015) for the erection of 28 units on the singular site at 430 Bath Road has been submitted to the Council and is currently under consideration.

### **3.0 Revisions to the Proposal**

- 3.1
- On the basis of a Viability Report submitted by the applicant to the Council, the application no longer includes the provision of on-site affordable housing units.
  - Following a review of the viability of the redevelopment scheme, the application now proposes an affordable housing financial contribution of £150,000.

### **4.0 PART B: PLANNING ASSESSMENT**

#### **Viability**

- 4.2 Since the original Committee report was considered, the scheme has been the subject of negotiations on viability with the agents acting on behalf the applicant. The Council has instructed independent viability consultants to carry out a review of the viability assessment submitted in respect of the application.
- 4.3 The application is in outline form and the agents acting for the applicant

state that assessing viability with any degree of precision is difficult. It is understood that the original development appraisals carried out by the applicant anticipated that the scheme would be viable without the need for a viability assessment, given the strong market growth that was expected due to the impact of Crossrail. The viability consultants acting for the applicant have advised that the existing reality is that the market has softened locally in the last six to twelve months due to a temporary oversupply of housing combined with some general nervousness about carrying out development with Brexit being an issue.

- 4.4 Given these circumstances, it is understood that the applicant (and their funders) have re-assessed the provision of on-site affordable housing. The viability report provided by the applicant seeks to establish whether the provision of on site affordable housing would threaten the project's viability to the extent that it would prevent the development being delivered.
- 4.5 The existing office building is owned freehold by a private pension fund that is unconnected to the developer and is let under a Tenancy Agreement which expires in 2022. There is a Deed of Variation with a break clause commencing in July of 2018 with a provision for six months of notice to facilitate redevelopment commencing early in 2019 and it is understood that the tenants have indicated a preference to vacate. The existing tyre depot is owned by RM Burnham Ltd with a lease to National Tyre (previously Goodyear) that ends in January 2019.
- 4.6 The agent acting for the applicant has confirmed that the investigations that have been carried out to date has highlighted that significant costs are likely to exist on the redevelopment of the site due to the need for piled foundations and a requirement for under-croft parking. In addition, the impact of the reduced growth in land values has affected the viability position which has led to the submission of the viability assessment.
- 4.7 The Council instructed their own independent viability consultant who after reviewing all of the financial material concluded that 'the proposed scheme can make an affordable housing contribution, however we are now in agreement that a policy compliant scheme cannot be provided on site'.
- 4.8 As a result of this, it is agreed that on the basis of the existing use value of the site and rental figures and development costs that it is no longer viable to secure the provision of affordable housing at this point in time. However, it should be noted that the figures indicate that it would be possible to secure an affordable housing contribution of £150,000.
- 4.9 It is important to note that the S106 Agreement would include a review mechanism on viability to 'clawback' any affordable housing contributions and review the viability position at a later date where different financial conditions could potentially exist. The proposals accord with Core Strategy Policy 4 and Part 2 of the Developer's Guide on Contributions and Affordable Housing (updated September 2017).
- 5.0 Sustainable Drainage
- 5.1 The resolution of the Planning Committee on 5<sup>th</sup> July 2017 was to



delegate the decision on the application to the Planning Manager on the basis that acceptable surface water drainage arrangements were agreed with the Council. As a result, the agent acting on behalf of the applicant has submitted further information on the drainage strategy for the site, which is now regarded as acceptable. A condition is recommended requiring the development to be carried out in accordance with the submitted details.

## 6.0 Contributions and S106 Agreement.

6.1 The applicant has agreed to provide the following financial contributions for the outline scheme:-

- Affordable Housing - £150,000;
- Education - £6,634;
- Recreation - £250 per unit which equates to £15,000 for 60 units;
- Traffic Regulation Order - £3,000;
- Transport - Realtime Passenger Information Screens for 2 nearest bus stops - £15,000
- Transport - Car Club Contribution - £30,000;
- Transport - Increased Trips / Movements - £36,777; and
- Air Quality - £10,000.

6.2 In addition, the resolution of the Planning Committee in July 2017 included a preclusion on future residents obtaining parking permits which is to be secured by way of S106 Agreement.

## 7.0 Conclusion

7.1 When the application was previously considered by Members in July 2017, the resolution was subject to the completion of a S106 agreement to secure Education, Transport and Leisure financial contributions plus the provision of on site affordable housing as well as a preclusion for future occupiers not to obtain parking permits

7.2 Taking into account the contents of the viability assessment and the independent review of the assessment by consultants as well as the contents of the original committee report and the amendment report, it is considered that the outline proposal would provide much needed housing on this brownfield site and a contribution towards affordable housing has been agreed.

7.3 In addition, the list of previously recommended conditions has been reviewed and account has been taken of a number of duplicated conditions in the revised conditions provided below.

## 5.0 **PART C: RECOMMENDATION**

### Recommendation

5.1 Delegate to Planning Manager for 1) approval subject to: completion of a satisfactory Section 106 planning obligation securing financial contributions towards Transport, Education and Leisure and a preclusion

on future residents obtaining parking permits as set out in the previous resolution to grant planning permission dated 5<sup>th</sup> July 2017 and for the new provision of an affordable housing contribution as set out in this supplementary report and conditions listed below and any finalising of them. Or, 2) refusal should a satisfactory S106 Agreement not be completed by 1<sup>st</sup> March 2019.

## **6.0 PART D: CONDITIONS**

### **6.1 PART D: DRAFT LIST OF CONDITIONS**

#### **CONDITIONS:**

1. 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 appearance of the development; and
  - Detailed landscaping strategy, including details of proposed maintenance or of alternative new planting.

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. 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. The scale of the building to come forward under a Reserved Matters application is not to exceed the parameters established in drawing 2189/4-01 Rev B dated December 2016 shall not exceed 19.8m to the ridge and to 18m to the eaves. The building shall remain at a two storey height (6-7m) at a distance of approx 15m from number 1 Station Road.

REASON: To prevent the final scheme being taller, bulkier and having more general impact than the scheme presented at outline noting that Scale is a matter to be determined.

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

- (a) Drawing No. 2189/1-01 Rev B Received 15<sup>th</sup> March 2017  
(site plan)
- (b) Drawing No. 2189/1-02 Rev B Received 15<sup>th</sup> March 2017  
(access / layout plan)

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.

5. Samples of external materials to be used in the construction of the buildings, waste storage areas, cycle storage or other structures including the access road and related pathways within the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to development other than demolition and ground works. 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. 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. These security measures shall be submitted to and approved in writing by the Local Planning Authority prior to development other than demolition and ground works. These security measures shall achieve the 'Secured by Design' accreditation awarded by Thames Valley Police and The development shall be carried out in accordance with the details approved.

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

7. Prior to development other than demolition and ground works 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 the amenities of the area and to comply with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December

2008.

8. Prior to development other than demolition and ground works, 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 Adopted Local Plan for Slough 2004, and to meet the objectives of the Slough Integrated Transport Strategy.

9. Prior to development other than demolition and ground works, details of the proposed bin stores (to include siting, design, height external materials) have been submitted to and approved in writing by the Local Planning Authority. The approved stores shall be completed prior to first occupation of the development and retained at all times in the future for this purpose.

REASON In the interests of visual amenity of the site in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004.

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

- (i) control of noise
- (ii) control of dust, smell and other effluvia
- (iii) control of surface water run off
- (iv) site security arrangements including hoardings
- (v) proposed method of piling for foundations
- (vi) construction and demolition working hours, hours during the construction and demolition phase, when delivery vehicles taking materials are allowed to enter or leave the site.
- (vii) Minimise, re-use and re-cycle waste, including materials and waste arising from demolition
- (viii) Minimise the pollution potential of unavoidable waste;
- (ix) 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 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

11. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks

associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

- 1 A preliminary risk assessment which has identified:
  - all previous uses;
  - potential contaminants associated with those uses;
  - a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site. (already discharged)
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) 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.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) 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 written consent of the local planning authority. The scheme shall be implemented as approved.

Reason - The geology under this site is the Shepperton Gravel Member (Principal Aquifer) over the Lambeth Group (Secondary A Aquifer) and at depth is the Chalk (Principal Aquifer). The site is within a total catchment area for a potable water supply abstracting from The Chalk. These aquifers need to be protected from any contamination that could potentially be mobilised during development of this site.

12. Prior to any part of the permitted development being brought into use a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by 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.

REASON The geology under this site is the Shepperton Gravel Member (Principal Aquifer) over the Lambeth Group (Secondary A Aquifer) and at depth is the Chalk (Principal Aquifer). The site is within a total catchment area for a potable water supply abstracting from The Chalk. These aquifers need to be protected from any contamination that could potentially be mobilised during development of this site.

13. Piling using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

REASON The T & P Regeneration Ltd Phase 1 Desk Study states that a piled foundation solution may be required for this site. The contaminative status of this site needs to be established to avoid the use of deep penetrative foundations forming pathways for mobilisation of contaminants.

14. No infiltration of surface water drainage into the ground at 426-430 Bath Road, Slough SL1 6BB is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON The geology underlying the site is the Shepperton Gravel Member (Principal Aquifer), Lambeth Group (Secondary A Aquifer) and at depth in the Chalk (Principal Aquifer). In order to protect these aquifers from mobilisation of contamination due to the use of soakaways, the contaminative status of this parcel of land needs to be known.

15. The surface water control measures shall be carried out in accordance with the following details:-

- The Flood Risk Assessment and Drainage Assessment produced by Ridge Property and Construction Consultants dated 19 December 2017 and received by the Council on 21 December 2018; and
- Ridge Property and Construction Consultants storage calculations received by the Council on 31 January 2018.

The surface water control measures shall be retained thereafter and 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 ensure that surface water discharge from the site is satisfactory and shall not prejudice the existing sewerage systems in accordance with Policy 8 of the adopted Core Strategy 2006 - 2026.

#### INFORMATIVES:

2. 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.
3. The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to [0350SN&N@slough.gov.uk](mailto:0350SN&N@slough.gov.uk) for street naming and/or numbering of the unit/s.

4. 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.
5. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority.
6. 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.
7. 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.
8. 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.
9. 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.
10. 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.

# **PLANNING COMMITTEE**

## **5<sup>th</sup> July 2017**

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

**P/00442/014 Land at Bath Road, Slough**

**Agenda Item 10**

### Assessment

The consultation period closed on 4<sup>th</sup> July 2017. No further representations have been received.

While the report states that surface water drainage can be dealt with by condition, the LLFA comments have been re-considered; insufficient information has been provided to enable a positive recommendation to be made. The applicant will need to provide this information along with the relevant mitigation that may be required.

### Recommendation

The recommendation is changed to:

The proposal is recommended to be delegated to the Planning Manager to grant planning permission subject to;

- 1) the completion of a satisfactory S106 Agreement to secure off-site Education, Transport and leisure contributions plus on-site affordable housing and a preclusion on future occupiers obtaining parking permits; and, acceptable surface water drainage requirements



**BELOW – ORIGINAL REPORT PRESENTED TO 5<sup>th</sup> July 2017 PLANNING COMMITTEE**

**P/00442/014 - 426-430 Bath Road**

**1.0 SUMMARY OF RECOMMENDATION**

- 1.1 This application has been referred to the Planning Committee for consideration as the application is for a major development.
- 1.2 Having considered the relevant policies set out below, the representations received from consultees and all other relevant material considerations, it is recommended that the application be delegated to the Planning Manager for approval subject to conditions and satisfactory completion of a Section 106 agreement and that no new material objections arise as a result of the press notice to agree any minor amendments to the planning application and finalising conditions.

**PART A: BACKGROUND**

**2.0 Proposal**

- 2.1 This is an outline application (Access and Scale only to be considered) for the proposed erection of a maximum six storey building on a site comprising two commercial / offices plots. The illustrative scheme steps down, eventually to two stories along the rear boundary. The proposed development would provide up to 60 flats (no mix is provided) in Class C3. Whilst no mix is provided the submission indicates that there will be a mix of one, two and three bedroom flats. The proposed building would front Bath Road.

- 2.2 50 car parking spaces are provided and 60 cycle spaces.

- 2.3 The existing access from the Bath Road will be removed and the new access will be from Station Road in the same location as the existing access.

**3.0 Application Site**

- 3.1 The 0.21 Ha site is on the corner site of Station Road and Bath Road. The site is brownfield in nature and comprises a branch of a

national multiple car tyre business and the other is an office. The site is not in either of the Simplified Planning Zones.

- 3.2 There is no residential use on the site at the moment. The site is not in a Conservation Area. There is a Listed Milestone on the opposite side of the A4 in the traffic island. There are three birch trees along the site frontage.
- 3.3 To the north of the site is a parking courtyard to the existing flats on the adjacent site. These flats were approved in 2004 are five storeys tall and are finished in buff brick and render with a flat roof. To the north of the Station Road end of the site are a few mixed uses conversions with A1 uses on the ground floor and flats above. These were two storey homes when constructed but have been modified to the rear for commercial purposes.
- 3.4 To the south of the site are semi detached inter-war style family dwellings which appear to be in largely original condition from the frontage.
- 3.5 The surrounding wider area comprises a mix of commercial and residential uses. The more immediately locality, north of the A4, mainly of a residential nature.
- 3.6 The site is approx. 2.5 miles from the Town Centre, 1 Mile from Junction 7 of the M4 and 500m from Burnham Station. There are a number of bus stops nearby on the Bath and Station Road.

#### 4.0 **Site History**

- 4.1 A number of planning applications have been submitted, but these relate to the respective businesses presently on the site and are of a minor nature (advertisements, minor alterations etc).

#### 5.0 **Neighbour Notification**

- 5.1 Dancia International Ltd, 1, Station Road, Cippenham, Slough, SL1 6JJ,  
Multi Media Marketing Ltd, 1a, Station Road, Cippenham, SL1 6JJ,  
449, Bath Road, Slough, SL1 6AA,  
445, Bath Road, Slough, SL1 6AA,  
441, Bath Road, Slough, SL1 6AA,  
437, Bath Road, Slough, SL1 6AA,  
2, Iona Crescent, Slough, SL1 6JH, Cippenham  
Dynasty, 9, Station Road, Cippenham, Slough, SL1 6JJ,  
Copyden, 3, Station Road, Cippenham, Slough, SL1 6JJ,  
Cheque Point Charlies, 424, Bath Road, Slough, SL1 6JA,

2, Station Road, Cippenham, Slough, SL1 6JJ,  
435, Bath Road, Slough, SL1 6AA,  
447, Bath Road, Slough, SL1 6AA,  
439, Bath Road, Slough, SL1 6AA,  
443, Bath Road, Slough, SL1 6AA,  
424a, Bath Road, Slough, SL1 6JA,  
Atlantic House, 7, Station Road, Cippenham, Slough, SL1 6JJ,  
Premium Claims, 3a, Station Road, Cippenham, Slough, SL1 6JJ,  
Furnival Entertainments Ltd, 1b, Station Road, Cippenham, Slough  
A1 Garden Contractors Ltd, 1a, Station Road, Cippenham, Slough  
Numbers 1-51, Holyhead Mews, Slough, SL1 6BD,  
Numbers 2-50, Holyhead Mews, Slough, SL1 6BD,

In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015, a site notice was displayed at the site on the 13<sup>th</sup> of June 2017 and the application has been advertised in The Slough Express, the details of which will be provided to members as an update.

- 5.2 No neighbour representations have been received at the time of writing this report.

## **6.0 Consultation**

### **6.1 Transport and Highways**

No objection, subject to a number of off-site contributions. A number of changes/recommendations have been requested at the reserved matters stage;

- Car parking at 1 space per unit;
- Pedestrian visibility splays provided both sides of the access;
- Individual cycle parking stores measuring 2m x 2m x 1m for each flat;
- Scheme amended to take account of the highway widening line on Station Road;
- Agreement to the S106/S278 package of works as set out below;
- 6 electric vehicle charging points to be provided in accordance with IAQM guidance (May 2015) at 1 space per 10 units;

### **6.2 Drainage Engineer**

The site is within Flood Zone 1 and is less than 1 Ha in size. As such a flood risk assessment is not required to be submitted but formed part of the submission. This included a surface water drainage strategy.

No objection has been raised by the Lead Local Flood Authority to these proposals or the supporting documentation provided.

Conditions requiring the full details of the surface water drainage

strategy, existing and proposed run-off calculations, details of the ongoing management and maintenance of the SuDS infrastructure to be provided prior to commencement of development have been added to the consent.

6.3 Environmental Protection

A Phase 1 Desktop study was submitted with the planning application due to the brownfield nature of the site and the commercial / industrial uses presently on part of the site. The Environmental Quality team were consulted as part of the application. No objection subject to a phased contaminated land study.

6.5 Thames Water

No comments received at the time of writing this report.

6.6 Crime Prevention Design Advisor

No objection, subject to a condition to ensure the final approved scheme meets Secure by Design standards.

6.7 Environment Agency

No objection, subject to soil investigation and remediation conditions.

**PART B: PLANNING APPRAISAL**

7.0 **Policy Background**

7.1 The following policies are considered most relevant to the assessment of this application:

The National Planning Policy Framework and the Planning Policy Guidance (including Chapter 12)

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

Core Policy 1 – Spatial Strategy

Core Policy 3 – Housing Distribution

Core Policy 4 – Type of Housing

Core Policy 5 – Employment (inc “Areas for Major Change”)

Core Policy 7 – Transport

Core Policy 8 – Sustainability and the Environment  
Core Policy 8 – Natural and Built Environment  
Core Policy 9 – Natural and Built Environment  
Core Policy 11 – Social Cohesiveness  
Core Policy 12 – Community Safety

The Local Plan for Slough, Adopted March 2004

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

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 for Slough should all be republished in a single 'Composite Development Plan' for Slough. The Planning Committee endorsed the use of this Composite Local Plan for Slough in July 2013.

Other relevant documents

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

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

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

8.0 **Principle of Development**

8.1 The proposed development would be carried outside the town centre but in an area identified in the Core Strategy as being an Area of Major Change by the Core Strategy Key Diagram on page 53 of the DPD.

8.2 Core Policy CP5 is spatially designated and the areas chosen underwent rigorous testing at Examination in Public based on their sustainability merits. There is no need to revisit this process.

8.3 The policy seeks to allow a variety of uses would be acceptable, including residential.

8.4 The Framework places much emphasis on “*boosting significantly the supply of housing*” (paragraph 47) and about the importance of making the optimum use of valuable land. The LPA are of the firm view that the public balance weights strongly in favour of a large quantum of housing on this site, against a modest level of local employment generated by the site at present. Officers are also aware that the delivery of housing is in itself also an economic gain for the area due to increased domestic spend and other activity.

8.5 The delivery of housing, including much needed affordable housing, is also assigned significant weight in the social thread of sustainable development as set out in Paragraph 6 of the NPPF.

8.6 As such the principle of losing employment generating land and replacing it with residential is accepted as having significant social and economic gains and is accepted in principle.

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

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

9.2 The proposed building would be six storeys in height which is similar to the five storey block of flats at the adjoining Holyhead Mews. The appearance has not been finalised at this stage. It is considered that the materials could be selected to respond to those found in the locality, this has been conditioned. The scale of the building is considered to be a good addition to the locality including Holyhead mews.

9.6 Indicative plans show that the proposal could be provided capable of respecting the building lines and could be of a high quality design. Noting the nature of the outline scheme, the proposed development is considered to raise no design and street scene concerns and would comply with Core Policy 8 of the Core Strategy; Policy EN1 of The Adopted Local Plan for Slough; and the National Planning Policy Framework.

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

10.1 The main area for consideration would be with respect to separation distances between neighbouring developments and resultant overlooking, overshadowing and overdominance. These considerations are tempered against the outline nature of the proposals, however "Scale" is a consideration to be dealt with at this stage and therefore whilst separation distances are not fixed herein the potential for overshadowing and the creation of a sense of enclosure can be considered at this stage.

10.2 The guidelines set out in The Slough Local Development Framework Residential Extensions Guidelines Supplementary Planning Document regarding generally acceptable separation distances within a residential context are considered to be of relevance.

10.3 There is a separation distance, shown on the indicative drawings, of 12m to Holyhead Mews (to the east) due to an access road. This means that in order to meet the 15m primary elevation to gable separation distance, the scheme would need to be inset by 3m. This distance is not going to pose an unreasonable constraint on a site that measures 62m wide. Such an instep can be requested in

any event. As discussed in the site description many of the units in the terrace of two storey homes along this part of Station Road have been converted to commercial properties.

10.4 Accordingly, amongst the more immediate units, there are no rear gardens to overlook as these are parking and service areas. Equally the windows on the rear elevations will all face west and this fact, combined with the modest separation is sufficient to mean that there are no concerns raised as regarding impact of the proposals to the south or western elevations. The scheme steps down to two stories along the rear boundary. This is considered to be a sensitive choice on the part of the architect in that this domestic scale will have a lesser impact in terms of over dominance than a fuller developed site. The inclusion of the words “upto” on the application form give officers comfort that the scale can be reasonably fixed at this stage since the headline number of units can be feathered to the site constraints at the Reserved Matters stage.

10.5 In summary, no conflict is found with regards Core Policy 8 of The Core Strategy. The scheme is able to respect its location and surroundings and respect the amenities of adjoining occupiers. Had the building been any taller different conclusions would likely have been drawn.

#### 11.0 **Amenity Space for Residents**

11.1 The illustrative layout suggest a small amenity area as part of a core courtyard area at the ground floor (car parking deck). There are no details at this stage as regards the provision of the units.

11.2 There is scope to provide an inset amenity deck on the top floor at the Reserved Matters stage. The nearest public park is at Cippenham which is close by the site on the southern side of the A4. Off-site open space contributions at £250 per unit are sought via a legal agreement.

11.3 It is considered that at the Reserved Matters stage the proposal could comply with Core Policy 8 of the Core Strategy, Policy H14 of The Adopted Local Plan for Slough and the National Planning Policy Framework.

#### 12.0 **Parking and Highway Safety**

12.1 Core Policy 7 of the Core Strategy sets out the Planning Authority’s approach to the consideration of transport matters. The thrust of this policy is to ensure that new development is sustainable and is located in the most accessible locations, thereby reducing the need to travel.



- 12.2 Policy T2 of The Adopted Local Plan for Slough 2004 seeks to restrain levels of parking in order to reduce the reliance on the private car through the imposition of parking standards.
- 12.3 The existing building is located in a sustainable location and has a wide range of schools, transport, shops, employment etc open to prospective residents. For these reasons the site has been identified as being able to be reused for residential purposes. .
- 12.4 The Council's Highway consultee has raised no objection to the level of parking and no concerns are raised as regards the reuse of the existing access. A number of comments were raised, and these are set out above, which can all be addressed in a future reserved matters submission.

13.0 **Trees**

- 13.1 There are three trees on the site along the frontage. An Arboricultural impact assessment was submitted with the planning application. No trees are planned to be removed as a result of these proposals. The tree officer has been consulted but has not responded. Members will be updated as regards to any response, but officers are of the opinion that with the trees having been included in the proposals, the tree officer is unlikely to raise an objection, subject to conditions relating to tree protection measures.

14.1 **Ecology**

- 14.2 The application was accompanied by a Phase 1 habitat survey. Being a commercial / office area, the site is of little ecological value. No bats or evidence of bats were found on part of the site, and consequently no further action or conditions are considered necessary.

15.1 **Surface Water Drainage and Flooding**

- 15.2 The site is within Flood Zone 1 and is less than 1 Ha in size. As such a flood risk assessment is not required to be submitted but formed part of the submission. This included a surface water drainage strategy.
- 15.3 No comments have been made by the Lead Local Flood Authority to these proposals or the supporting documentation. Nonetheless officers have considered the submission and agree with the preliminary findings and conclusions. There is no evidence to suggest that the site suffers from surface water or ground water issues that would not be capable of being dealt with at the reserved matters stage or by conditions. .

15.4 As such, pre-commencement conditions requiring the submission of a pro-forma to the Council to include more details of the surface water drainage strategy have been added. Details such as the site's geology, any contamination on the site, new site levels and the location of sustainable drainage infrastructure (for example the location of underground storage tanks), demonstration that the SuDS hierarchy has been followed, existing and proposed run-off, details of the ongoing management and maintenance of the SuDS infrastructure.

15.5 Therefore on this basis, there are not considered to be any surface water concerns that cannot be controlled by condition.

#### 16.1 **Impact on Heritage Assets**

16.1 Opposite the site, on a traffic island to the south of the A4, is a Grade II listed milestone dating from the late 1700's.

16.2 Section 66 of the Planning and Listed Buildings Act, places a legal duty upon decision makers to have "*special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest*". This duty is reinforced in the Framework which states expectations of applicants to describe assets should be "*...proportionate to the assets importance and no more than is sufficient to understand the potential impact of the proposal on their significance*". (Paragraph 132).

16.3 The Framework places equal weight on harm to the setting of a heritage asset as to the asset itself.

16.4 To this end, the setting of the milestone is considered to be a) small and b) In the same way that a Church's setting is its graveyard or a farm it's farmstead, the A4 road to which the milestone serves is considered to be its setting (and indeed original functional purpose).

16.5 Great weight is assigned by officers to the value of the heritage asset. In this instance, no change is found to the setting of the Milestone and by extension no harm is found to the asset itself arising from these proposals.

16.6 Consequently officers are satisfied that it's legal duties as regards The Act and attendant guidance (found in, inter alia, Chapter 12 of the Framework) have been discharged.

16.7 This matter is therefore given neutral weight in the decision making process since no harm has been identified but equally no heritage benefits arise from the proposals.

#### 17.1 **Section 106 Contributions**

17.2 Officers can confirm that the applicant has agreed to the principle of making contributions Transport, Education and Leisure. Further discussions to agree the amounts need to be finalised by officers before forming part of the S106 agreement.

17.3 Onsite provision of 30% affordable houses have been agreed. Significant weight is assigned to this element of the scheme.

17.4 The S106 will also restrict future residents from taking out parking permits.

### 13.0 **Process**

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

### 14.0 **Summary**

14.1 The proposal has been considered against relevant development plan policies, and regard has been had to the comments received, and all other relevant material considerations.

14.2 Having considered the relevant policies set out below, the representations received from consultees and all other relevant material considerations, it is recommended that the application be approved subject to no new objections being raised by officers to the proposals.

## **PART C: RECOMMENDATION**

### 15.0 **Recommendation**

15.1 Having considered the relevant policies set out below, the representations received from consultees and all other relevant material considerations, it is recommended that the application be delegated to the Planning Manager for approval subject to conditions and satisfactory completion of a Section 106 agreement and that no new material objections arise as a result of the press notice to agree any minor amendments to the planning application and finalising conditions.

## PART D: DRAFT LIST OF CONDITIONS

### CONDITIONS:

1. 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 appearance of the development; and
  - Detailed landscaping strategy, including details of proposed maintenance or of alternative new planting.

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. 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. The scale of the building to come forward under a Reserved Matters application is not to exceed the parameters established in drawing 2189/4-01 Rev B dated December 2016 shall not exceed 19.8m to the ridge and to 18m to the eaves. The building shall remain at a two storey height (6-7m) at a distance of approx 15m from number 1 Station Road.

REASON: To prevent the final scheme being taller, bulkier and having more general impact than the scheme presented at outline noting that Scale is a matter to be determined.

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

- (c) Drawing No. 2189/1-01 Rev B Received 15<sup>th</sup> March 2017 (site plan)
- (d) Drawing No. 2189/1-02 Rev B Received 15<sup>th</sup> March 2017 (access plan)
- (e) Drawing No. 2189/4-01 Rev B Received 15<sup>th</sup> March 2017

(Indicative Streetscenes showing eaves of 18m and ridge of 19.8m))

- (f) Drawing No. 2189/6-04 Rev A Received 15<sup>th</sup> March 2017 (3D visual showing scale and mass)
- (g) Drawing No. 2189/6-02 Rev A Received 15<sup>th</sup> March 2017 (3D visual showing mass and scale))

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.

- 5. Samples of external materials to be used in the construction of the buildings, waste storage areas, cycle storage or other structures including the access road and related pathways 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. 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. Security measures to be implemented in compliance with this condition shall be submitted to and approved in writing by the LPA and shall achieve the 'Secured by Design' accreditation awarded by Thames Valley Police.

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

- 7. 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, 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, Development Plan Document, December 2008.

- 8. It is suspected that this site and/or nearby land and water may be contaminated as a result of former industrial use(s) or otherwise. Prior to the commencement of the development a phased risk assessment shall be carried out by a competent person in accordance with current

government and Environment Agency Guidance and Approved Codes of Practice, such as CLR11, BS10175, BS5930 and CIRIA 665. Each phase shall be submitted in writing and approved by the LPA.

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

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

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

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

REASON To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

9. The development shall not begin until details of on and off site drainage works have been submitted to and approved in writing by The Local Planning Authority. No works which result in the discharge of ground or surface water from the site shall be commenced until the off-site drainage works detailed in the approved scheme have been completed.

REASON To ensure that foul and water discharge from the site is satisfactory and shall not prejudice the existing sewerage systems in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

10. Full details of the surface water disposal shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development hereby approved. Once approved, the details shall be fully implemented prior to the first occupation of the dwellings and retained as such thereafter.

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

11. 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 Adopted Local Plan for Slough 2004, and to meet the objectives of the Slough Integrated Transport Strategy.

12. No development shall commence until details of the proposed bin stores (to include siting, design, height external materials) have been submitted to and approved in writing by the Local Planning Authority. The approved stores shall be completed prior to first occupation of the development and retained at all times in the future for this purpose.

REASON In the interests of visual amenity of the site in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004.

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

- (i) control of noise
- (ii) control of dust, smell and other effluvia
- (iii) control of surface water run off
- (iv) site security arrangements including hoardings
- (v) proposed method of piling for foundations
- (vi) construction and demolition working hours, hours during the construction and demolition phase, when delivery vehicles taking materials are allowed to enter or leave the site.
- (vii) Minimise, re-use and re-cycle waste, including materials and waste arising from demolition
- ;
- (viii) Minimise the pollution potential of unavoidable waste;
- (ix) 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 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

14. No development is to be commence until a detailed landscaping and

management scheme has been implemented according to the. 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 and biodiversity enhancement of the area and accordance with Policy EN3 of The Adopted Local Plan for Slough 2004.

15. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

2 A preliminary risk assessment which has identified:

☐ all previous uses; ☐ potential contaminants associated with those uses; ☐ a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site. (already discharged)

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) 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.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) 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 written consent of the local planning authority. The scheme shall be implemented as approved.

Reason - The geology under this site is the Shepperton Gravel Member (Principal Aquifer) over the Lambeth Group (Secondary A Aquifer) and at depth is the Chalk (Principal Aquifer). The site is within a total catchment area for a potable water supply abstracting from The Chalk. These aquifers need to be protected from any contamination that could potentially be mobilised during development of this site.

16. The T & P Regeneration Ltd Phase 1 Desk Study identifies the current potentially contaminative use of the site for vehicle repair, testing and servicing (National Tyres and Autocare) whilst the previous industries that occupied this site are unknown. Since it is assumed that the buildings were used for light industrial/commercial activities in line with the surrounding area, then the historical use of such industrial premises during the two world wars should also be taken into consideration.



17. Prior to any part of the permitted development being brought into use a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by 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.

Reason - The geology under this site is the Shepperton Gravel Member (Principal Aquifer) over the Lambeth Group (Secondary A Aquifer) and at depth is the Chalk (Principal Aquifer). The site is within a total catchment area for a potable water supply abstracting from The Chalk. These aquifers need to be protected from any contamination that could potentially be mobilised during development of this site.

18. Piling using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason - The T & P Regeneration Ltd Phase 1 Desk Study states that a piled foundation solution may be required for this site. The contaminative status of this site needs to be established to avoid the use of deep penetrative foundations forming pathways for mobilisation of contaminants.

19. No infiltration of surface water drainage into the ground at 426-430 Bath Road, Slough SL1 6BB is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason - The geology underlying the site is the Shepperton Gravel Member (Principal Aquifer), Lambeth Group (Secondary A Aquifer) and at depth in the Chalk (Principal Aquifer). In order to protect these aquifers from mobilisation of contamination due to the use of soakaways, the contaminative status of this parcel of land needs to be known.

20. No development shall take place until a drainage strategy, detailed flood risk assessment (specific to the reserved matters scheme) and maintenance plan is to be submitted to the LPA and approved in writing. This strategy will include a range of SUDS measures to ensure that the surface water run off will be less than the existing site. REASON: To ensure compliance with the requirements expected from development by the Lead Local Flood Authority.

#### INFORMATIVES:

11. 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.
12. 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.

13. 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.
14. 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.
15. 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.
16. 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.
17. 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.
18. 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.
19. 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.

## **BELOW – UPDATE REPORT TO THE 5<sup>th</sup> JULY 2017 PLANNING COMMITTEE**

**P/00442/014 Land at Bath Road, Slough**

**Agenda Item 10**

### Assessment

The consultation period closed on 4<sup>th</sup> July 2017. No further representations have been received.

While the report states that surface water drainage can be dealt with by condition, the LLFA comments have been re-considered; insufficient information has been provided to enable a positive recommendation to be made. The applicant will need to provide this information along with the relevant mitigation that may be required.

## Recommendation

The recommendation is changed to:

The proposal is recommended to be delegated to the Planning Manager to grant planning permission subject to;

- 1) the completion of a satisfactory S106 Agreement to secure off-site Education, Transport and leisure contributions plus on-site affordable housing and a preclusion on future occupiers obtaining parking permits; and,
- 2) acceptable surface water drainage requirements.