

# **PLANNING COMMITTEE**

**4<sup>th</sup> December 2019**

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

- 1.1. Since the Planning Committee report was published the following third party consultation comments have been received:

**Thames Valley Police - Crime Prevention Design Advisor:**

*"I have now had opportunity to read through the attached Secure by Design Security needs assessment. Having discussed this with the Local Police Inspector, we are disappointed to note that the applicant is reluctant to implement the necessary residential security achieved by compartmentalisation. (Case Officer Note: compartmentalisation means the internal areas are controlled by fob access to ensure they are not freely accessible by residents and visitors who have no reason to be in such areas).*

*It is critical that secure lobbies and compartmentalisation are incorporated into this design. I ask that detailed plans showing how robust access control including compartmentalisation will be achieved be submitted and approved prior to planning approval.*

*Or I ask that condition the above be dealt with via an appropriately worded condition."*

1.2. **Case Officer Response:**

The above comments have been sent onto the developer and that compartmentalisation has been requested. The developer has responded and believes the proposal is not of a sufficient size to warrant this. This has been relayed to Thames Valley Police who have confirmed there is a crime reason for the compartmentalisation on a development for this number of units and in this location.

- 1.3. Following further negotiations the following condition has been agreed with Thames Valley Police. This would ensure there would be a good level of security around site and into the building. The absence of compartmentalisation is still a concern for Thames Valley Police because it would result in the unrestricted permeability within the proposed extensions which increases the probability of criminal and antisocial behaviour. Although this does not weigh in favour of the application, regard should be given to number of flats, which at 24 units is a relatively low quantum. Therefore, a small amount of weight should be added towards any harm when determining the application.

1.4. **Condition – Security:**

Within six months of the development hereby approved commencing, the following details shall be submitted to and approved in writing by the Local Planning Authority in consultation with Thames Valley Police:

- a) Notification confirming the date the development hereby approved commenced.
- b) Electronic access control gates with fob access with fob identification data to be stored for 30 days.

- c) Specification of external door sets and secure lobby door to be provided and shall meet a minimum standard of LPS1175 issue BR3.
- d) Live audio and visual communication between each dwelling and the visitor with the ability to capture and record images in colour of people using the door entry panel and store for those for at least 30 days. This information should be made available to police within 3 days upon request.
- e) Ability to release the primary entrance door set from each dwelling.
- f) Instantaneous power backup for the security system in the event of a power cut.
- g) No tradesperson release mechanisms.

The development shall then be carried out in full accordance with the approved details and the boundary treatment and gates as shown on the approved plans prior to first occupation of the development hereby approved. These measures shall be used and maintained in accordance with the manufactures requirements for the lifetime of the development.

REASON to ensure the proposed development minimises the opportunity criminal activity and anti social behaviour 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 National Planning Policy Framework, 2019.

- 1.5. The above condition should be replace Condition 11 (Crime Prevention and Anti Social Behaviour).

**2.0. Revision to Section 22 of the Planning Committee Report.**

- 2.1. Section 22 of the Planning Committee Report is revised to add the absence of compartmentalisation to the weighting exercise when determining the application.

- 2.2. Presumption in favour of sustainable development:

The application has been evaluated against the Development Plan and the NPPF and the Authority has assessed the application against the core planning principles of the NPPF and whether the proposals deliver “sustainable development.” The Local Planning Authority can not demonstrate a Five Year Land Supply and therefore the presumption in favour of sustainable development tilted in favour of the supply of housing as set out in Paragraph 11 of the National Planning Policy Framework 2019 and refined in case law should be applied.

- 2.3. The report identifies that the proposal complies with some of the relevant saved policies in the Local Plan and Core Strategy, but identifies where there are some conflicts with the Development Plan, namely the limited outlook to the east from within the approved flats in the existing building; the compromised living conditions caused by the restricted window openings, the bedroom window positioning in flats PL LG01 and PL LG02, the absence of compartmentalisation, and the reduced affordable housing contribution. However, when considering the proposal would provide 24 new flats towards the defined housing need at a time where there is not a Five Year Land Supply within the Borough, in combination with compliance with the relevant planning policies

and considerations as set out above, the Local Planning Authority consider that the adverse impacts of the development would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Local Development Plan and the National Planning Policy Framework 2019 taken as a whole. On balance, the application is recommended for approval.

### 3.0. **RECOMMENDATION**

3.1 No change to recommendation.

### 4.0. **CONDITIONS**

- 4.1. The developer has requested the timing be altered for the submission of details in conditions 12 (Overheating Mitigation); 13 (Noise assessment – external noise); and 14 (Non- openable and partially openable windows). Within the Planning Committee Report, the timing for the submission of these details was ‘no development shall continue above the ground floor slab’ and prior to the installation of the windows for condition 14. The developer asserts these would conflict with the construction programme, and has requested the timing for these conditions are changed to within six months of the development commencing. According to the developer; six months would be at a point within the construction programme where the steel frame and cladding for the upper floor extension would underway and the groundworks and steel frame for the rear extensions would be completed. This would be an appropriate timing for the submission of these details and no objections are raised.
- 4.2. It is therefore recommended conditions 11 (Crime Prevention and Anti Social Behaviour); 12 (Overheating Mitigation); 13 (Noise assessment – external noise); and 14 (Non- openable and partially openable windows) are revised to the following:

#### 11. Crime Prevention and Anti Social Behaviour

Within six months of the development hereby approved commencing, the following details shall be submitted to and approved in writing by the Local Planning Authority in consultation with Thames Valley Police:

- a) Notification confirming the date the development hereby approved commenced.
- b) Electronic access control gates with fob access with fob identification data to be stored for 30 days.
- c) Specification of external door sets and secure lobby door to be provided and shall meet a minimum standard of LPS1175 issue BR3.
- d) Live audio and visual communication between each dwelling and the visitor with the ability to capture and record images in colour of people using the door entry panel and store for those for at least 30 days. This information should be made available to police within 3 days upon request.
- e) Ability to release the primary entrance door set from each dwelling.
- f) Instantaneous power backup for the security system in the event of a power cut.

- g) No tradesperson release mechanisms.

The development shall then be carried out in full accordance with the approved details and the boundary treatment and gates as shown on the approved plans prior to first occupation of the development hereby approved. These measures shall be used and maintained in accordance with the manufactures requirements for the lifetime of the development.

REASON to ensure the proposed development minimises the opportunity criminal activity and anti social behaviour 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 National Planning Policy Framework, 2019.

## 12. Overheating Mitigation

Within six months of the development hereby approved commencing, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- a) Notification confirming the date the development hereby approved commenced
- b) Details of the specific mitigation details set out in the submitted Overheating Analysis Issue No. 2 (ref. 4260-Park House-Overheating-1911-05yp.docx); Dated 05/11/2019; Rec'd 05/11/2019 shall be submitted to and approved in writing by the Local Planning Authority.

The development shall then be carried out in full accordance with the approved details prior to first occupation of the development hereby approved. Each Mechanical Ventilation unit shall then be used and maintained in accordance with the manufactures requirements for the lifetime of the development.

REASON to ensure future residents are not subjected to unacceptable temperature levels once the development is inhabited, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008

## 13. Noise assessment – Mechanical Ventilation

Within six months of the development hereby approved commencing, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- a) Notification confirming the date the development hereby approved commenced
- b) Details of the mechanical ventilation including details of ventilation noise outputs along with a noise assessment in accordance with any mitigation in accordance with ProPG: Planning and Noise Guidance and British Standard 8233:2014 shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in full accordance with the approved details together with the noise mitigation measures set out in Section 6 of the Planning Noise

Assessment by Adnitt Acoustics (ref. E19069/EBF/R2a) Dated 5<sup>th</sup> July 2019 prior first occupation shall be retained as such all times in the future. Each Mechanical Ventilation unit shall then be used and maintained in accordance with the manufactures requirements for the lifetime of the development.

REASON to ensure future residents are not subjected to unacceptable noise levels once the development is inhabited, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

#### 14. Windows

Within six months of the development hereby approved commencing, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- a) Notification confirming the date the development hereby approved commenced
- b) All non- openable and partially openable windows pursuant to and in accordance with the submitted Internal NO2 Analysis Issue No. 1 (ref. 3902-15 Bath Road- Internal NO2-1911-06ns.docx); Dated 06/11/2019; Rec'd 06/11/2019. These details shall demonstrate how the windows will be retained closed or partially closed as required without the future occupiers easily adjusting the required window aperture.
- c) Glazing units pursuant in accordance with the design criteria outlined within the Planning Noise Assessment by Adnitt Acoustics (ref. E19069/EBF/R2a) Dated 5<sup>th</sup> July 2019.

The development shall be carried in full accordance with these details prior to first occupation of the development hereby approved and retained as such for the lifetime of the development.

REASON to ensure future residents are not subjected to unacceptable levels of pollution once the development is inhabited, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

## **Response to consultations on Windsor and Maidenhead, Spelthorne and Aylesbury Vale Local Plans**

### **Draft Bracknell Forest Local Plan Revised Growth Strategy**

1.1 We have also been consulted on a Revised Growth Strategy for the emerging Bracknell Forest Local Plan.

1.2 The main reasons reason's for the further consultation are due to :

- a change in the number of new homes that Bracknell Forest Council needed to find sites for,
- the need to plan for an extended period,
- the proposal to release land from the Green Belt and develop the Syngenta research facility at Jealott's Hill into a mixed use development based on garden settlement principles including 4,000 new homes (1,400 of which would be affordable homes), 132,800 sq.m. of employment floorspace, two primary schools, a secondary school, local centre and community hub.

1.3 The key point is that Bracknell Forrest are using the new standard methodology for calculating local housing need and proposing to meet this in full.

1.4 As a result it is considered that this Council should not raise any objections to the Draft Bracknell Forest Local Plan Revised Growth Strategy. We will continue to be involved in future consultations with Bracknell Forest Council through the Duty to Cooperate.

### **2.0 CHANGE TO RECOMMENDATION**

2.1 It is proposed that an item d) should be added to the recommendation to cover the Bracknell consultation response.

2.2 The Committee is requested to resolve that:

- a) The proposed representations on the Windsor and Maidenhead Borough Local Plan (2013 - 2033) Submission Version Incorporating Proposed Changes (October 2019) be approved and submitted to the Council.
- b) The proposed representations on the Aylesbury Vale Local Plan Main Modifications consultation (November 2019) be approved and submitted to the Council.
- c) No objections are made to the Spelthorne Preferred Options Local Plan Consultation: Sites and Policies document (November 2019).
- d) *No objections are made to the Draft Bracknell Forest Local Plan Revised Growth Strategy.***