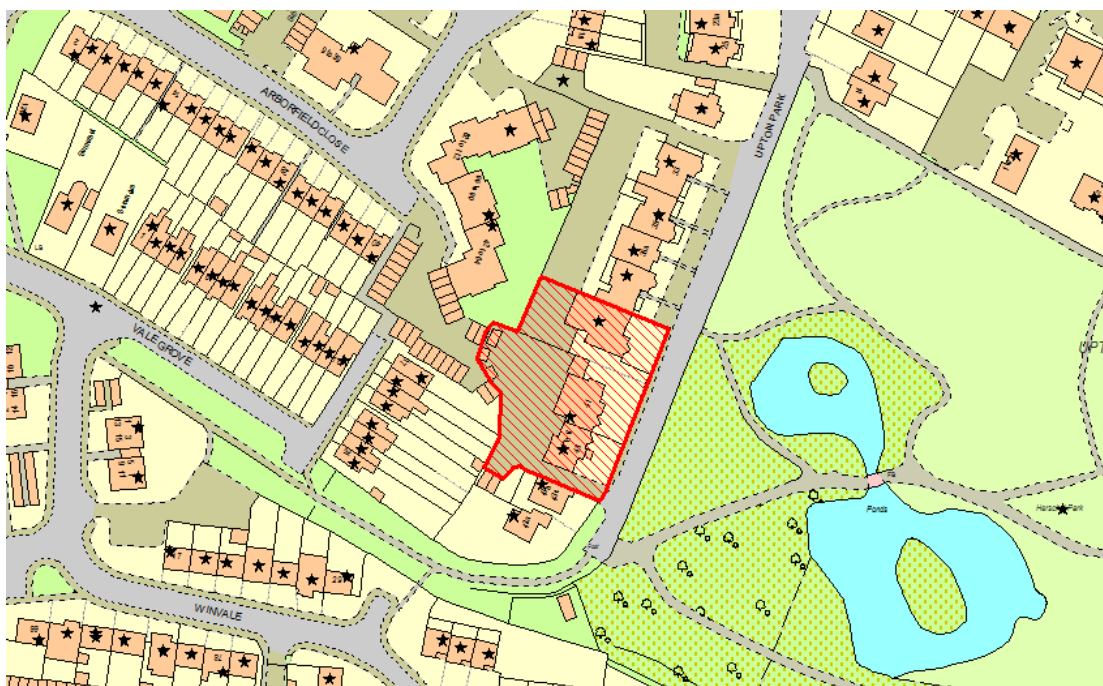


Registration Date:	22-Aug-2019	Application No:	P/06333/009
Officer:	Michael Scott	Ward:	Central
Applicant:	Mr Robertson	Application Type:	Major
		13 Week Date:	21 Nov 2019
Agent:	Zyntax Chartered Architects, 8, Arborfield Close, Slough, SL1 2JW		
Location:	39-43, Upton Park, Slough, SL1 2DA		
Proposal:	Alterations and conversion of hotel at 41 Upton Park to residential use, alteration of residential block of 43 Upton Park and extension of both properties to create 20 no. residential flats comprising 4 no. 2 bed flats, 7 no. studio flats and 9 no. 1 bedroom flats with associated cycle storage and car parking.		

Recommendation: Delegate to the Planning Manager for approval



P/06333/009

1.0 SUMMARY OF RECOMMENDATION

1.1 Having considered the relevant policies set out below, and comments that have been received from consultees and a local interested party, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager for approval subject to: no substantive concerns are raised by the Local Lead Flood Authority or any fresh issues raised following the display of the recent site notices; in order to finalise conditions and agree pre-commencement conditions; and any other minor changes.

1.2 This application is to be determined at Planning Committee as it is an application for a major development comprising more than 10 dwellings.

PART A: BACKGROUND

2.0 Proposal

2.1 This is a full planning application for:

- Construction of a three-storey rear extension building.
- Change of use of no. 41 currently used for hotel accommodation to form additional residential accommodation.
- Provision of 20 residential units (6 existing units, which are to be re-instated, and 14 additional new units).
- Surface parking providing 23 spaces for the proposed residential units and 8 spaces retained for the residual hotel accommodation at no. 39 Upton Park. Three of these spaces shall be provided for electric charging facilities.
- The provision of a secure cycle parking facility within the rear extension at ground floor level to provide for future residents and a dedicated cycle storage facility at the rear of the car park to serve hotel staff and guests.
- Secure bin store at ground level to the front of the residential accommodation and a dedicated bin store to the front of the retained hotel at no. 39.
- Formation of a new vehicular access between nos. 39 and 41, in conjunction with the introduction of a one-way loop traffic circulation pattern, using the existing access for entry only.

3.0 Application Site

3.1 The application site lies on the west side of Upton Park towards its southern most-end and opposite Herschel Park. The property comprises six flats at no. 43 and hotel accommodation with its reception at no. 41. This hotel is based on two sites with the other part contained in no. 39, with a broad pedestrian access between the two parts.

- 3.2 The application site lies in the Upton Park/Upton Village Conservation Area but the property is not listed.
- 3.3 The application premises are part two and part three-storey, with a lower ground floor; whilst the hotel reception is provided by a single-storey modern addition set back from the frontage on the northern end of the building adjacent to the pedestrian access alongside no. 39.
- 3.4 The original building has a distinctive frontage with a series of gables and bays in a symmetrical layout comprising two “Dutch” gables at position 2 and 5 of the six and with two lesser gables at position 1 and 6 of the six and two hipped bays at position 3 and 4 of the six.
- 3.5 The two wings, i.e. those parts outside of the “Dutch” gables, are lower than the central part between these gables.
- 3.6 Each of the gables and bays, as well as the quoins and the lower ground floor “base” of the building, is rendered and painted white. The façade is complemented by a dark red facing brick and black fenestration and rainwater goods.
- 3.7 There have been alterations to the rear resulting in a set of different scaled “modern” additions. It is considered these have little character or architectural relationship to the frontage.
- 3.8 At the front of no. 41 is a paved area providing pedestrian circulation with a tree and shrub screen at the forward edge adjacent to the vehicular carriageway. At the front of no. 43 is a small area of open, loose-gravel, level-surfaced parking area serving this residential building. There is no formal layout or marked bays.
- 3.9 The rear area is similarly an open, loose-gravel, level-surfaced parking area, which serves the all of the residential and hotel uses in nos. 39 – 43. As at the front, there is no formal layout or marked bays.
- 3.10 Access and egress to the rear parking facilities is provided from Upton Park between the southern end of no. 43 and the neighbouring independent housing at nos. 43b/c.
- 3.11 The application site lies close to but outside the M4 Air Quality Management Area.
- 4.0 **Relevant Site History**
- 4.1 The most relevant planning history for the site is presented below:

- P/06333/003 Formation of hard standing at the rear of no 41 Upton Park to create a combined car parking area at the rear of 41 and 43 Upton Park for use in connection with both the existing hotel and residential properties. Laying out of a landscaped sitting out area to the rear of 31 Upton Park for use by the existing hotel – APPROVED 05/06/07.
- P/06333/001 Change of use from house in multiple occupation at no. 39 to guest house and associated car parking at rear – APPROVED 09/08/85.
- P/06333/000 Alterations to basement living accommodation at no. 39 and formation of car paRK – APPROVED 01/06/83.

5.0 **Neighbour Notification**

- 5.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) a site notice was displayed outside the site on 18/10/2019 and further site notices were displayed on 05/02/20. The application was advertised as a major application affecting the setting of a conservation area in the 20/09/2019 edition of The Slough Express. Neighbour letters were sent out on 11/09/2019 to the following addresses:

35, Upton Park Slough, 18, Vale Grove, Slough, SL1 2JE, Flat 4, 37, Upton Park, Slough, SL1 2DA, Flat 5, 37, Upton Park, Slough, SL1 2DA, Flat 6, 37, Upton Park, Slough, SL1 2DA, Flat 7, 37, Upton Park, Slough, SL1 2DA, Flat 1, 37, Upton Park, Slough, SL1 2DA, Flat 2, 37, Upton Park, Slough, SL1 2DA, Flat 3, 37, Upton Park, Slough, SL1 2DA, Flat 8, 37, Upton Park, Slough, SL1 2DA, Flat 9, 37, Upton Park, Slough, SL1 2DA, 43a, Upton Park, Slough, SL1 2DA, 18, Upton Park, Slough, SL1 2DB, 8, Sussex Close, Slough, SL1 1NX, 17, Vale Grove, Slough, SL1 2JE, 43c, Upton Park, Slough, SL1 2DA, 43b, Upton Park, Slough, SL1 2DA, 21, Vale Grove, Slough, SL1 2JE, 27, Alma Road, Eton Wick, Windsor, Berkshire, SL4 6JZ, 48, Arborfield Close, Slough, SL1 2JW, 50, Arborfield Close, Slough, SL1 2JW, 52, Arborfield Close, Slough, SL1 2JW, 54, Arborfield Close, Slough, SL1 2JW, 42, Arborfield Close, Slough, SL1 2JW, 44, Arborfield Close, Slough, SL1 2JW, 46, Arborfield Close, Slough, SL1 2JW, 64, Arborfield Close, Slough, SL1 2JW, 56, Arborfield Close, Slough, SL1 2JW, 58, Arborfield Close, Slough, SL1 2JW, 60, Arborfield Close, Slough, SL1 2JW, 62, Arborfield Close, Slough, SL1 2JW, 20, Vale Grove, Slough, SL1 2JE, 42, Parkland Avenue, Slough, SL3 7LQ, 19, Vale Grove, Slough, SL1 2JE, 34, Upton Park, Slough, SL1 2DE, Flat 1, 43, Upton Park, Slough, SL1 2DA, Flat 2, 43, Upton Park, Slough, SL1 2DA, Flat 3, 43, Upton Park, Slough, SL1 2DA, Flat 4, 43, Upton Park, Slough, SL1 2DA, Flat 5, 43, Upton Park, Slough, SL1 2DA, Flat 6, 43, Upton Park, Slough, SL1 2DA, Upton Park

Roads Limited, 18, Upton Park, Slough, Berkshire, SL1 2DW

- 5.2 The applicant's agent served the correct ownership Certificate by Notice in the Slough Observer on 14th February 2020, following which the public consultation period expired on 6th March 2020.
- 5.3 Under all procedures for publicity, one objection letter has been received - from the Upton Park Roads Ltd. In summary, this response raises the following points of concern:
- Loss of any trees and shrubs
 - Traffic and parking issues

6.0 **Consultations**

6.1 Local Highway Authority:

Following review of the proposed change of use from a hotel at 41 Upton Park and alterations to the residential block at 43 Upton Park for 20no residential flats, the proposed development is in principle acceptable given the applicant addresses the following concerns:

1. The applicant will be required to provide a Car Parking Management Plan (CPMP), which will be secured via condition prior to first occupation.
2. The applicant must also produce a plan, which clearly demonstrates which car parking spaces belong to the Hotel users and the residential users.
 - a. Will the car parking spaces for the residential use be assigned or communal?
3. We require the applicant to produce a site plan demonstrating the signage for directional flow in the appropriate locations on site.
4. The applicant needs to demonstrate the location of the recycling and refuse bins on site for both the Hotel and the residential flats in accordance with Slough Borough Council refuse standards. Ensuring the location of the bins encourage collection from a centralised collection point and the maximum permitted carrying distance from dwellings / flats (external doors) to the refuse store is approximately 30 metres (MfS 6.8.9).
5. I note the applicant has demonstrated cycle parking in accordance with the SBC standards. However, the applicant must install secure access doors and a wall / fencing in the cycle store to separate them and secure them from the public space.
6. The applicant must also demonstrate provision for cycle parking for the Hotel, its staff and visitors on site.

In summary, the Highways and Transport department can only support this application subject to the applicant addressing the above concerns and submitting the amended plans.

NOTE: The applicant submitted revisions in response to these matters. Highways have now commented *“I confirm that the revised plans address the majority of the concerns previously highlighted by us and the outstanding matters can be addressed within pre-occupation conditions.”*

6.2 Tree Officer:

There are a number of trees on the site that would be removed to facilitate this proposal at the front established cypress trees for car parking. Due to the proximity to the property and surrounding structures New planting between the car parking spaces should be provided with the use of subsurface rooting areas to mitigate the loss of trees.

At the rear of the property there are trees growing on adjoining land and may be impacted by the development.

Therefore, an arboricultural method statement is required, that appropriately specifies:

- Vertical barriers to prevent access into soft landscape areas.
- Tree pruning to reduce the risk of vehicle impacts and upper crown damage
- Any up grading of existing hard surfacing must be detailed where excavations extend below the existing sub-base.
- Any other risks to the health and structure of trees adjoining the site.

Landscape: A detailed landscape plan will be required to mitigate the loss of trees.

6.3 Crime Prevention Design Advisor, Local Policing:

No comments received. Any comments received will be reported into the Amendment Sheet.

6.4 Thames Water:

Confirm there is sufficient capacity for foul water services and set out various matters, which are included here under Informatives

6.5 Environment Agency:

“As the applicant now has confirmation from Thames Water that they have sufficient capacity to accept the foul sewage from this development, we take this as confirmation that the applicant intends to connect the site to mains drainage and are therefore happy to remove our objection.”

6.6 Conservation Officer, Beams:

No comments received. Any comments received will be reported into the Amendment Sheet

6.7 Lead Local Flood Authority

No comments received. Any comments received will be reported into the Amendment Sheet.

6.7 Air Quality Officer

I have had a look at this application and have determined that there is not any need for the applicant to complete an air quality assessment.

I would consider this development to have a minor impact on air quality. As such, the scheme only requires an assessment of potential exposure of future residents to concentrations of NO₂ and the integration of Type 1 Mitigation measures, contained in the LES Planning Guidance. Although the closest diffusion tube has had issues with compliance in the past, the development is over 90m from this point so the risk of NO₂ exposure is low.

Mitigation Requirements

- Electric vehicle re-charging infrastructure should be provided in line with table 7 of the LES Technical Report. The LES requires that a minimum of 10% of the parking spaces should have access to electric vehicle recharging facilities. As there are 32 spaces (23 for flats, 9 for hotel), a minimum of 3 parking spaces should have access to charging facilities.
- Construction Environmental Management Plan (CEMP) shall be produced and submitted to SBC for approval prior to commencement of works.
- The CEMP shall include non-road mobile machinery (NRMM) controls in line with table 10 of the LES Technical Report.
- All construction vehicles shall meet a minimum Euro 6/VI Emission Standard
- All heating systems shall meet the emission standards laid out in table 7 of the LES Technical Report

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

- 7.1 National Planning Policy Framework and National Planning Policy Guidance:
Section 2: Achieving sustainable development
Section 5: Delivering a sufficient supply of homes
Section 8: Promoting healthy communities
Section 9: Promoting sustainable transport
Section 11: Making effective use of land
Section 12: Achieving well-designed places
Section 14: Meeting the challenge of climate change, flooding and coastal change
Section 15: Conserving and enhancing the natural environment
Section 16: Conserving and enhancing the historic environment

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

Core Policy 1 – Spatial Strategy
Core Policy 3 – Housing Distribution
Core Policy 4 – Type of Housing
Core Policy 7 - Transport
Core Policy 8 – Sustainability and the Environment

Core Policy 9 – Natural, built and historic environment
Core Policy 10 – Infrastructure
Core Policy 11 - Social cohesiveness
Core Policy 12 – Community Safety

The Adopted Local Plan for Slough 2004 (Saved Policies)

EN1 – Standard of Design
EN 2 - Extensions
EN3 – Landscaping Requirements
EN5 – Design and Crime Prevention
H11 – Change of Use to Residential
H14 – Amenity Space
T2 – Parking Restraint
T8 – Cycle Network and Facilities

Other Relevant Documents/Guidance

- Slough Borough Council Developer's Guide Parts 1-4
- Proposals Map

Slough Local Development Plan and the NPPF

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 revised version of the National Planning Policy Framework (NPPF) was published on 19th June 2019.

The National Planning Policy Framework 2019 states that decision-makers at every level should seek to approve applications for sustainable development where possible and planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Following the application of the updated Housing Delivery Test set out in the National Planning Policy Framework 2019, the Local Planning Authority cannot demonstrate a Five Year Land Supply. Therefore, when applying Development Plan Policies in relation to the development of new housing, the presumption in favour of sustainable development will be applied, which comprises a tilted balance in favour of the development as set out in Paragraph 11(d) (ii) of the National Planning Policy Framework 2019 and refined in case law. The 'tilted balance' as set out in the NPPF paragraph 11 requires local planning authorities to apply the presumption in favour of sustainable development (in applications which relate to the supply of housing) unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Planning Officers have considered the revised National Planning Policy Framework 2019 which has been used together with other material planning considerations to assess this planning application.

7.2 The planning considerations for this proposal are:

- Principle of development
- Housing mix
- Impact on the character and appearance of the area and heritage assets
- Impact on amenity of neighbouring occupiers
- Living conditions for future occupiers of the development
- Crime prevention
- Highways and parking
- Flooding & Drainage
- Trees & Landscaping
- Land contamination
- Air Quality
- S.106 Contributions

8.0 **Principle of development**

- 8.1 The current proposals entail the change of use of hotel accommodation, in conjunction with a set of extensions to the existing building comprising nos. 39 -41 Upton Park, to form a wholly residential property.
- 8.2 The National Planning Policy Framework 2019 encourages the effective and efficient use of land. These proposals involve the enlargement of the premises and the formation of additional residential accommodation. As such, the proposals comply with the overall thrust of the NPPF.
- 8.3 The loss of the hotel accommodation in this case does not raise any policy issues, as the scale and location of the employment generated is not significant or related to a designated Existing Business Area.
- 8.4 Core Policies 1 and 4 which seek high-density, non-family type housing to be located in the Town Centre. In the urban areas outside of the town centre, new residential development is expected to be predominantly family housing. The application site lies outside of the Town Centre in a sustainable location and thus there is a presumption in favour of family housing.
- 8.5 Whilst the site is located outside of the Town Centre, it is considered that flatted accommodation is more appropriate in this case, as it reflects the existing flatted residential mix within the building and also the mix and form of residential accommodation in this part of Upton Park.
- 8.6 Both the National Planning Policy Framework and the Local Development Plan seek a wide choice of high-quality homes which should be considered in the context of the presumption in favour of sustainable development. The site is considered to be located in a sustainable location as it benefits from access to public transport, education, retail, leisure, employment and community facilities.

- 8.7 Paragraph 8 of the NPPF sets out that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are an economic objective, a social objective and an environmental objective.
- 8.8 Paragraph 9 of the NPPF stresses that sustainable solutions should take local circumstances into account, to reflect the character, needs and opportunities of each area.
- 8.9 In Core Policy 1 the Council seeks a scale and density of development that will be related to a site's current or proposed accessibility, character and surroundings.
- 8.10 In Core Policy 8 the Council seeks all development to be sustainable, of high-quality design that respects its location and surroundings, in that it should respect the amenities of adjoining occupiers and reflect the street scene and local distinctiveness of the area.
- 8.11 Accordingly, in Core Policy 9 the Council states development will not be permitted where it does not respect the character and distinctiveness of existing townscapes. The impact of the current proposals is considered in section 10.0 below.
- 8.12 Having regard to the National Planning Policy Framework 2019 and the Local Development Plan, there are no objections to the principle of further residential development on this site.

9.0 **Mix of housing**

- 9.1 The National Planning Policy Framework seeks to deliver a variety of homes to meet the needs of different groups in the community. This is largely reflected in local planning policy in Core Strategy Strategic Objective C and Core Policy 4.
- 9.2 The proposal would provide a mix of "studio", one-bedroom and two-bedroom flats. The existing six units are each flats. Given the location of the site and its particular site circumstances, it is considered appropriate and thus acceptable, that the scheme should comprise flats.

10.0 **Impact on the character and appearance of the area and heritage assets/Conservation Area**

- 10.1 The National Planning Policy Framework encourages new buildings to be of a high quality design that should be compatible with their site and surroundings. This is reflected in Core Policy 8 of the Core Strategy, and Local Plan Policies EN1, EN2 and H13.
- 10.2 Furthermore, s.72 of the Listed Buildings and Conservation Areas Act 1990 sets out that, in determining planning applications for development in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

- 10.3 This is carried forward in Core Policy 9 of the Core Strategy, (2006 – 2026) Development Plan Document December 2008, which states that development will not be permitted unless it:
- Enhances and protects the historic environment
 - Respects the character and distinctiveness of existing buildings, townscapes and landscapes and their local designations
- 10.4 The proposals entail a significant reconfiguration and enlargement of the rear part of the existing premises; whilst the front part of the building remains essentially as is. The assessment of the proposals focuses on the degree of change in the overall perception of the streetscene in Upton Park and more widely from Herschel Park; whilst the impact of the proposals to the rear are of importance in the wider view of the scheme from Arborfield Close to the west.
- 10.5 The scale, bulk and massing of the proposed extension to the rear would be largely unseen from the front. The two areas of change that would be discernible would be the northern and southern limbs of the extension.
- 10.6 At the northern end, the rear extension would replace the modern single-storey reception addition with a three-storey, gable fronted wing. The façade would be set back from the main frontage by some six metres, as such, it would not compete with the scale or upset the symmetry of the original façade. In views directly from the front, the new “wing” would be complementary to the proportions and style of the original design. This is demonstrated by the detail and treatment of the various features of the proposed gable.
- 10.7 At the southern end, the rear extension would be higher than the southern wing of the original building. Likewise, the overall ridge of the rear extension would be some 800mm. higher than the ridge of the original building. However, it is noted that the ridge of the rear extension lies some 7.5 metres behind that of the original building. The applicant has prepared a CGI of the proposals to demonstrate how these parts of the proposals would be set behind the original building in views within Upton Park and thus the height of the latter in the foreground would prevent any view of this higher element to the rear from Herschel Park.
- 10.8 Although the existing building is neither statutorily Listed nor locally listed, it does lie in a conservation area. There are neither any statutorily Listed nor locally listed buildings in the vicinity of the application site. Herschel Park is a Grade II Registered Historic Park and Garden.
- 10.9 In accordance with paragraph 189 of the NPPF the applicant has submitted a Heritage Statement which draws attention to the setting of the application site alongside one of the carriage roads adjoining Herschel Park. The relationship

of the proposals, including the landscaping of the foreground, is of significance in this setting. The proposals would entail the removal of the existing landscape screening. However, this is not considered to be of substantial value given the particular species involved and as these do not closely reflect the character of the area. Each of the adjoining properties to the north has an open aspect with forecourt car parking. The proposed layout would enable a more sympathetic planting scheme subject to conditions relating to matters set out by the Council's Tree Officer. This would enhance the overall setting of Herschel Park in terms of the adjacent carriage road.

- 10.10 The introduction of the rear extension would have no impact on Herschel Park given the position, orientation and the relationship of heights set out in paragraphs 10. 4 and 10.5 above.
- 10.11 The proposed rear extension facing Arborfield Close would result in a new façade showing a clearer, well-ordered design to enhance the visual amenities of the surrounding area.
- 10.12 Based on the above, the proposals would have an acceptable impact on the character and visual amenity of the area and is considered to preserve the setting, and, therefore the significance of both designated and non-designated heritage assets in the locality would not be unacceptable. The proposal would not lead to “less than substantial harm”, “substantial harm”, or “total loss” of a designated heritage asset. The proposal therefore complies with Core Policy 9 of the Core Strategy and the requirement of the National Planning Policy Framework, as such the scheme is considered to therefore comply with Policies EN1, EN2 and H13 of the Local Plan for Slough March 2004 (Saved Policies), Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, and the requirements of the National Planning Policy Framework 2019.

11.0 **Impact on amenity of neighbouring occupiers**

- 11.1 The National Planning Policy Framework 2019 encourages new developments to be of a high-quality design that should provide a high quality of amenity for all existing and future occupiers of land and buildings. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Policies EN1 and EN2.
- 11.2 The proposals, as more fully described above, entail a rear extension in conjunction with the conversion and re-configuration of residential accommodation. There would be a series of new flank wall window openings facing the flanks of nos. 43b/c and 39. Each of these new openings would be secondary to the rooms they serve. As there are existing flank wall windows at the neighbouring buildings, the new windows would need to be conditioned to use obscured glazing.

11.3 Given the siting, orientation and degree of separation (over 30 metres) between the existing dwellings in Arborfield Close and proposed residential dwelling units, there would be no significant impacts in terms of overshadowing, daylighting and sunlighting.

11.4 It is considered that there would be no adverse harm for neighbouring properties and the proposal is considered to be consistent with Core Policy 8 of the Local Development Framework Core Strategy and Policy EN1 of the Adopted Local Plan, and the requirements of the National Planning Policy Framework 2019.

12.0 **Living conditions for future occupiers of the development**

12.1 The National Planning Policy Framework 2019 encourages new developments to be of a high-quality design that should provide a high quality of amenity for all existing and future occupiers of land and buildings. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Policies EN1 and EN2.

12.2 All of the units would meet the Council's internal space standards, as set out in the Technical Housing Standards 2015.

12.3 In terms of the levels of daylight, aspect, and outlook, it is noted that the front elevation openings are existing; though at lower ground levels these are served by light wells. As such, additional openings would be formed to enhance the existing conditions. The new extension has been designed to include openings offering good levels of daylight, aspect and outlook

12.4 Independent access will be provided at street level from an entrance on the north side of the new building. The staircase and a lift would then enable future residents to reach each floor - there would be four flats at lower ground level, six at ground floor level, seven at first floor level, and three at second floor level.

12.5 Whilst none of the residential units would have any private amenity space, it is noted that they are directly opposite Herschel Park and within a short walk of the Town Centre.

12.6 Based on the above, on balance, the living conditions and amenity space for future occupiers is considered to be in accordance with the requirements of the NPPF, Core policy 4 of Council's Core Strategy, and Policy H11 of the Adopted Local Plan.

13.0 **Crime Prevention**

13.1 Policy EN5 of the adopted Local Plan states all development schemes should be designed so as to reduce the potential for criminal activity and anti-social

behaviour.

- 13.2 There would be a single access from the frontage on Upton Park and a separate secure access point at the rear giving direct access to the cycle storage facilities and then to the circulation core of the building. Each access would have a good level of natural surveillance within the public realm.
- 13.3 Cycle storage would comprise a dedicated room on the ground floor adjoining the rear entrance from the car park. Subject to a condition below, the facilities would be private and the external access doors would be secure, so no objections are raised in respect of the prevention of crime.

14.0 **Highways and Parking**

- 14.1 The National Planning Policy Framework states that planning should seek to promote development that is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Development should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and pedestrians and where appropriate local parking standards should be applied to secure appropriate levels of parking. This is reflected in Core Policy 7 and Local Plan Policies T2 and T8. Paragraph 109 of the National Planning Policy Framework states that '*Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*'.
- 14.2 Subject to a condition requiring a Car Park Management Plan, the Highways Authority are satisfied with the proposed provision of spaces in a communal car park with a dedicated provision to serve the residual hotel use.
- 14.3 Subject to a condition to ensure the security of the proposed facilities to serve the residential at nos. 41-43 and the residual hotel at no. 39, cycle parking would be provided in accordance with the Council's standards.
- 14.4 The site lies close to the designated Town Centre. As such, it is considered that the provision of services and facilities for shopping and other needs are readily available within the locality. Therefore, it is considered that as the proposals are in such a sustainable location, it would not lead to parking concerns.
- 14.5 The scheme entails the introduction of circulatory system for access and egress of vehicles, following the formation of a new carriageway between nos. 39 and 41. Subject to a condition requiring the provision of appropriate directional signage, the Highways Authority has no objection to these proposals.
- 14.6 Based on the above, and subject to the conditions set out below, the proposal is considered to be in accordance with the requirements of Policies T2 and T8 of the adopted Local Plan, as well as the provisions of the NPPF.

15.0 **Flooding & Drainage**

- 15.1 Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document states that development must manage surface water arising from the site in a sustainable manner which will also reduce the risk of flooding and improve water quality.
- 15.2 According to the EA flood maps, the site is located in Flood Zone 1. It is at low risk of tidal, fluvial, groundwater flooding, surface water flooding and flooding from artificial sources. As the site is located in Flood Zone 1, the proposals do not require a Flood Risk Assessment.
- 15.3 Changes in government legislation from April 2015, require major developments to provide measures that will form a Sustainable Drainage System. Sustainable Drainage Systems (SuDS) are an effective way to reduce the impact of urbanisation on watercourse flows, ensure the protection and enhancement of water quality and encourage the recharge of groundwater in a natural way. The National Planning Policy Framework states that the surface run-off from site cannot lead to an increase from that existing. Slough's Strategic Flood Risk Assessment states that surface water should be attenuated to Greenfield run-off rates. In the scenario where infiltration techniques are not possible, attenuation will be required in order to reduce surface water run-off.
- 15.4 Discussions and exchanges with the Council's consultants, Hampshire CC, who act as the Local Lead Flood Authority, have not yet finalised the drainage strategy to accompany the proposals. As such, a condition is set out below to ensure the scheme meets with appropriate standards. Any update will be provided on the Amendment Sheet.

16.0 **Trees & Landscaping**

- 16.1 As set out, above the existing layout includes soft landscaping at the frontage. The proposals would lead to a revised arrangement with a formal car parking layout having ten parking bays perpendicular to the carriageway and landscaping provided by planting as a buffer between these parking bays and the pedestrian circulation area. Details of planting and boundary treatments shall be subject to conditions.

17.0 **Land Contamination**

- 17.1 The proposals entail an extension over previously made ground in an area designated as the buffer to land that is potentially contaminated. The risk of contamination is low and the proposed structure would cap the sub-ground conditions. In these circumstances a watching brief condition is set out below.

18.0 **Air Quality**

18.1 The application site is not situated within an Air Quality Management Area (AQMA). Therefore, there will not be an unacceptable exposure to air pollution for future occupiers of the development or the users of the surrounding facilities. In the interest of not worsening air quality problems in other parts of the town it will be important, if the proposal is approved, to minimise emissions from travel demand through encouraging non-car modes of travel, which would be enhanced by the scheme's compliance with the Council's requirements for cycle storage facilities and infrastructure for Electric Vehicles.

Further to the comments of the Environmental Quality Officer, in relation to electric charging points, which are sought as a part of the Local Environmental Strategy, which seeks to mitigate air quality concerns from additional traffic and parking, it must be noted that the developer shall be required to include three charging points. The Low Emission Strategy does not form part of the Local Development Plan, the presumption in favour of sustainable development within the National Planning Policy Framework applies. Here it is considered that the any potential harm from the proposals would not result in any harmful impacts that would significantly and demonstrably outweigh the benefits of the scheme, when assessed against the Policies in National Planning Policy Framework taken as a whole.

19.0 **s.106 Contributions**

19.1 The proposals entail the re-instatement of the six existing residential units at no. 43 and the introduction of 14 new dwellings. As such, the scheme does not trigger either affordable housing or an educational contribution under the Council's policies.

20.0 **Conclusion relating to Planning Balance**

20.1 In the application of the appropriate balance, it is considered that there are benefits from the formation of twenty residential units in a sustainable location, in a scheme that is considered to preserve and/or enhance a conservation area; so it is suggested that planning permission should be granted in this case. The benefits of supplying fourteen extra units in a tilted assessment has been shown to significantly and demonstrably outweigh any adverse impacts and conflicts with specific policies in the NPPF.

21.0 **Equalities Considerations**

21.1 Throughout this report, due consideration has been given to the potential impacts of development, upon individuals either residing in the development, or visiting the development, or whom are providing services in support of the development. Under the Council's statutory duty of care, the local authority has given due regard for the

needs of all individuals including those with protected characteristics as defined in the 2010 Equality Act (e.g.: age (including children and young people), disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In particular, regard has been had with regards to the need to meet these three tests:

- Remove or minimise disadvantages suffered by people due to their protected characteristics;
- Take steps to meet the needs of people with certain protected characteristics; and;
- Encourage people with protected characteristics to participate in public life (et al).

21.2 The proposal would be required to meet with Part M of the Building Regulations in relation to space standards and occupation by those needing wheelchair access.

21.3 It is considered that there will be temporary (but limited) adverse impacts upon all individuals, with protected characteristics, whilst the development is under construction, by virtue of the construction works taking place. People with the following characteristics have the potential to be disadvantaged as a result of the construction works associated with the development e.g.: people with disabilities, maternity and pregnancy and younger children, older children and elderly residents/visitors. It is also considered that noise and dust from construction has the potential to cause nuisances to people sensitive to noise or dust. However, measures under other legislation covering environmental health should be exercised as and when required.

21.4 In conclusion, it is considered that the needs of individuals with protected characteristics have been fully considered by the Local Planning Authority exercising its public duty of care, in accordance with the 2010 Equality Act.

22.0 **PART C: RECOMMENDATION**

22.1 Having considered the relevant policies set out below, and comments that have been received from consultees and a local interested party, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager for approval subject to: no substantive concerns are raised by the Local Lead Flood Authority or any fresh issues raised following the display of the recent site notices; in order to finalise conditions and agree pre-commencement conditions; and any other minor changes.

23.0 **PART D: LIST CONDITIONS AND INFORMATIVES**

1. Commence within three years

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

REASON To prevent the accumulation of planning permissions, and to enable the Council to review the suitability of the development in the light of altered

circumstances and to comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. Approved Plans

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

- (a) Drawing No. 03-07-13, Dated Jan. 2019, Recd On 22/08/2019
- (b) Drawing No. 03-07-14, Dated Jan. 2019, Recd On 22/08/2019
- (c) Drawing No. 03-07-15, Dated Jan. 2019, Recd On 22/08/2019
- (d) Drawing No. 03-07-16, Dated Jan. 2019, Recd On 25/10/2019
- (e) Drawing No. 03-07-17 Rev. C, Dated "05/05/20", Recd On 06/02/20
- (f) Drawing No. 03-07-18 Rev. C, Dated "05/05/20", Recd On 06/02/20
- (g) Drawing No. 03-07-19 Rev. A, Dated Jan. 2019, Recd On 25/10/2019
- (h) Drawing No. 03-07-20 Rev. A, Dated Jan. 2019, Recd On 25/10/2019
- (i) Drawing No. 03-07-21 Rev. C, Dated "05/05/20", Recd On 06/02/20
- (j) Drawing No. 03-07-26 Rev. B, Dated 03/02/2020, Recd On 05/02/2020
- (k) Design & Access Statement, Dated Jan. 2019, Recd On 25/10/2019
- (l) Heritage Assessment by Elias Kipfermann, Dated August 2019, Recd On 25/10/2019
- (m) SuDSmart Pro (GeoSmart Information) Report Ref: 71947R, Dated 2019-08-20, Recd On 21/10/2019

REASON To ensure that the site is developed in accordance with the submitted application and to ensure that the proposed development preserves and/or enhances the character and appearance of a conservation area and does not prejudice the amenity of the area, so as to comply with the Policies in the Development Plan.

3. Architectural details

Prior to the commencement of the development hereby approved, full architectural detailed drawings at a scale of not less than 1:20 (elevations, plans and sections) of all the new window openings (including surroundings and reveals) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

REASON: To ensure a satisfactory appearance of the development so as to ensure that the proposed development preserves and/or enhances the character and appearance of a conservation area and does not prejudice the visual amenity of the locality in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004, Core Policy 9 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2019).

4. New finishes to building works

Prior to the commencement of development, samples of new external finishes and materials (including, reference to manufacturer, specification details,

positioning, and colour) to be used in the construction of the external envelope of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before the scheme is commenced on site and the development shall be carried out in accordance with the details approved.

REASON To ensure a satisfactory appearance of the development so as to ensure that the proposed development preserves and/or enhances the character and appearance of a conservation area and does not prejudice the visual amenities of the locality in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004.

5. New surface treatments

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

REASON To ensure a satisfactory appearance of the development so as to ensure that the proposed development preserves and/or enhances the character and appearance of a conservation area and does not prejudice the visual amenity of the locality in accordance with Policy EN1 of The Local Adopted Plan for Slough 2004.

6. Drainage (SuDS)

No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed. The scheme shall include:

- a. Full results of the proposed drainage system modelling for the 1 in 1, 1 in 30 and 1 in 100 storm events plus climate change , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep (if applicable);
- b. Further infiltration testing at formation level;
- c. Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe and manhole reference numbers;
- d. Full details of the proposed SuDS features and any flow control measures;
- e. Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development

7. Landscaping

Prior to the commencement of the development hereby approved, an arboricultural method statement in conjunction with a detailed bee-friendly landscaping and tree planting scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the trees and shrubs to be retained and/or removed and the type, density, position and planting heights, along with staking/guying, mulching, feeding, watering and soil quality, of new trees and shrubs, and details of hardsurfaces which shall include compliance with the surface water drainage mitigation as approved under condition 6 of this planning permission.

On substantial completion of the development, the approved scheme of hard landscaping shall have been constructed. The approved scheme of soft landscaping shall be carried out no later than the first planting season following completion of the development. Within a five year period following the implementation of the scheme, if any of the new or retained trees or shrubs should die, are removed or become seriously damaged or diseased, then they shall be replaced in the next planting season with another of the same species and size as agreed in the landscaping tree planting scheme by the Local Planning Authority.

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

8. Boundary Treatment

Prior to the commencement of the development hereby approved, details of the proposed boundary treatment including position, external appearance, height and materials of all boundary walls, fences and gates have been submitted to and approved by the Local Planning Authority. The development shall not be occupied until the approved boundary treatment has been implemented on site. It shall be retained at all time in the future.

REASON: In the interests of the visual amenity of the area and to reduce opportunities for crime and anti-social behaviour in accordance with Policies EN1 and EN3 of The Adopted Local Plan for Slough 2004, Core Policies 1 and 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2019).

9. Bins & Recycling facilities

Prior to the commencement of the development hereby approved, details of the proposed bin store (to include siting, design and external materials) shall be submitted to for approval by the Local Planning Authority. The approved stores shall be completed prior to first occupation of the development and retained for this purpose.

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

10. Cycles storage

Prior to the commencement of the development hereby approved, details of the cycle parking provision (including location, security of the facilities and cycle stand details) shall be submitted to for approval by the Local Planning Authority. The cycle parking shall be provided in accordance with these details and shall be retained for this purpose.

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

11. Car parking provision

The parking spaces and turning areas shown on the approved plans shall be provided on site prior to occupation of the development and retained at all times in the future for the parking of motor vehicles on a communal basis.

REASON To ensure that adequate on-site parking provision is available to serve the development and to protect the amenities of the area in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy T2 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2019.

12. Car Park Management Plan

No part of the development hereby permitted shall be occupied until a car park management scheme has been submitted to and been approved in writing by the Local Planning Authority. The Scheme shall include measures:

- a) To ensure that spaces cannot be owned/let/allocated to anyone who is not a resident or does not have a car/need a parking space.
- b) To ensure spaces are not permanently linked to dwellings.
- c) Stating how three electric vehicle charging point spaces will be made available to residents with plug-in vehicles.
- d) How use of charging point spaces by non plug-in vehicles will be restricted.

- e) To set out the allocation of any visitor spaces.
- f) To ensure the spaces allocated for hotel use, as annotated on Drawing no. 03-07-26 Rev. B, shall be used for its use only.

No dwelling shall be occupied until the car park management scheme has been implemented as approved. Thereafter, the allocation and use of car parking spaces shall be in accordance with the approved scheme.

REASON to ensure the parking spaces are in optimum use in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and the requirements of the National Planning Policy Framework 2019.

13. Traffic Circulation Management Plan

No part of the development hereby permitted shall be occupied until a Traffic Circulation Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Traffic Circulation Management Plan shall set out the infrastructure and signage to be used to demonstrate how vehicle/cycle access and egress will be controlled to prevent comprising vehicle/pedestrian/cyclist safety and without causing an obstruction on the highway.

The development shall be carried out in full accordance with the approved details before first occupation and shall be retained at all times in the future.

REASON: to ensure the proposed circulatory access and egress serving the proposed development would not cause either endangerment of users or an obstruction on the adjoining highway in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and the requirements of the National Planning Policy Framework 2019.

14. External Site Lighting

No part of the development hereby permitted shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting including details of the lighting units, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme.

REASON In the interests of safeguarding the amenities of neighbouring properties and to ensure safer access and use of the shared cycle/pedestrian/motor vehicular route throughout the site in accordance with Core Policy 8 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 (saved polices), and the requirements of the National Planning Policy Framework 2019.

15. Obscured glazing

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development)(England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), each of the windows on the flank elevations as shown on drawing no. 03-07-21, Dated Jan. 2019, shall be glazed in obscure glass and shall be non-opening below a height of 1.7 metres measured from the internal finished floor level. The window(s) shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.

REASON To minimise any potential loss of privacy to adjoining land in accordance with Policy H15 of The Adopted Local Plan for Slough 2004.

16. No new windows

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development)(England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), no windows, other than those hereby approved, shall be formed in any elevations of the development without the prior written approval of the Local Planning Authority.

REASON To minimise any loss of privacy to occupiers of adjoining residential properties and to ensure the visual character and appearance of the facades are preserved in accordance with Policies EN1 and H15 of The Adopted Local Plan for Slough 2004.

INFORMATIVE(S):

1. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through requesting amendments. 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 would preserve and/or enhance the character and appearance of a conservation area; so it is in accordance with the National Planning Policy Framework.
2. The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

There are public sewers crossing or close to your development. If you're planning

significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>.

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Water Comments

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for

improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.