

# **PLANNING COMMITTEE**

**13 January 2021**

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

Consultees

Consultees- Soil Contamination – see conditions below.

Consultees – Highways/Transport – seek additional area for adoption (applicant to be notified); seek footway for arena access road (east side) – agreed by applicant.

Consultees - Landscape and Tree Officer – update re queries raised. The applicant confirms that some trees have not been surveyed yet due to lack of access when leisure centre demolished. Therefore the reference to tree retention at para 10.3 will be subject to survey. And details of streamside works will need to take account of information on the impact on trees. Transplanting of trees removed will be dependent upon further study and suitability.

Consultees – drainage – acceptable subject to condition and ref to submitted details.

Neighbour Notification

2 further objections received via Committee Services. One seeks deferral of the application raising matters relating to not having seen the amendment sheet, not seen changes to the application nor had chance to discuss with neighbours because of covid restrictions. Query re site notices. And raises various points from Committee report and seeks answers to some.

Firstly the revisions to the application are on the Council's web site. The Council does not at present, due to covid, send letters to neighbours when applications are received but site notices are displayed, by the Council, on adjacent streets. The changes to the proposal are not significant enough to notify neighbours again i.e. even before covid, letters would not have been sent to neighbours re minor changes. One change relates to a floor plan within a block of flats that is 5m or 6m from the flank of an existing home - the bin store has been swapped with the cycle store but there is no external change. The Council records show that the site notices were put up 27<sup>th</sup> October. One was re-posted in November after a neighbour informed the Council it had gone.

The second objection raises concern about noise and vibration and structural damage to adjacent property. Condition 21 will cover construction noise etc. The possible affect on structures is not a planning matter. Building Regulations covers this together with general provisions in law re developer taking care of not to damage property.

Significant revisions to the proposal

Affordable Housing proposed:

- 20% of dwellings – 42 homes
- Tenure :Slough Living Rent and Shared Ownership
- Mix – two options that Housing are in the process of choosing:

10 one bedroom, 27 two bedroom apartments, 5 houses or  
15 one bedroom, 22 two bedroom apartments, 5 houses

- Plus early and later stage review of viability to see if more affordable housing can be provided (either homes or money)

Sales strategy:

- Local marketing of homes
- The applicant highlights that 150 of the homes will be available for Help to Buy.

Section 106 contributions -Paragraph 13.1 list updated:

Financial contributions for:

- Education £ 610,265
- Mitigation re Habitats Regs Assessment £ 73,698 (subject to the outcome of further internal discussion and liaison with Natural England)
- Controlled Parking Zone £6,000
- Travel Plan monitoring £ 6,000
- Additional open space maintenance (contribution towards) £ 100,000 (this only applies if the existing open space stays within the Council's ownership).
- All index linked BCIS

Non financial items:

- Travel Plan
- Information Pack for residents and prospective purchasers re travel plan, parking space allocation, no parking permits available.
- Sign Highways Agreement (subject to confirmation by Highways)
- Affordable Housing: up to 20%; tenure/mix options to be agreed by Housing.
- Viability review mechanism; early and late stage; to establish if additional affordable housing homes or money can be provided.
- Secure 98 parking spaces at St. Martins Place for Claycots School parent parking (drop off/pick up times).
- Local marketing of homes

### Update

Negotiations on the viability have resulted in 20% affordable housing, 80% of requested Section. 106 financial contributions, an early and late stage review of viability (to see if more affordable housing can be provided if values rise above costs in the future) and a local marketing strategy for market housing.

Regarding the planning balance at para. 14.2 – 14.3 the affordable housing package outlined above is a benefit of the scheme to which weight should be given when determining the application. And the gain of the affordable housing package, whilst not policy compliant, is sufficient to outweigh the undesirable features referred to in para. 14.1 and 14.3. The availability of Help To Buy on 150 homes should be noted in terms of assisting with affordability of market homes. And it should be noted that in terms of delivery of new homes there is a high degree of certainty as the land is in the Council's control, the leisure centre has already been cleared, and the applicant is the Council's joint venture partner.

Regarding Claycotts School parent parking and para 14.2 internal confirmation has been given for 98 parking spaces at St. Martins Place being used. The spaces are shared with ice arena overflow parking which will occur at a different time to school opening and closing.

Regarding Natural England's objection they have not yet responded to additional information and new discussions have yet to take place but there is still an expectation of the objection being withdrawn or if it isn't the Council can decide the application subject to adoption of an Appropriate Assessment (re Habitats Regulations), prior notification of Natural England and taking account of Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended). Regarding comparison of the height of the leisure centre compared to the new buildings a drawing in the presentation will show this.

### Alteration of conditions

5 Landscape Design Residential Area: to also refer to Landscape Design and Access Statement being approved as strategy and layout.

6 Landscape, woodland etc. to also refer to Landscape Design and Access Statement being approved as strategy and layout excepting detail of some elements such as stream bridge and slide location.

13 Lighting : add reference to retention/re provision of existing lighting re ice arena and spine path adjacent to existing car park. Re other lighting details possible change from submission of detail to compliance condition re details submitted in Lighting report.

32-35 re contamination: to be removed and replaced with these two conditions (the planning application includes details re draft condition 32 and 33).

#### Phase 3 Site-Specific Remediation Strategy

No development shall commence until a Site-Specific Remediation Strategy has been submitted to and approved in writing by the local planning authority. Based on the findings of the Quantitative Risk Assessment (QRA) prepared for the site, and the findings of the intrusive investigation, a Site-Specific Remediation Strategy (SSRS) shall be prepared. The SSRS must include, as a minimum, but not limited to, details of the precise location of the remediation works and/or monitoring proposed, including earth movements, licensing and regulatory liaison, health, safety and environmental controls, and any validation requirements.

REASON: To ensure that potential risks from land contamination are adequately assessed and remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use and in accordance with Policy 8 of the Core Strategy 2008.

#### Remediation Validation

No development within or adjacent to any area(s) subject to remediation works carried out pursuant to the Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy condition shall be occupied until a full Validation Report for the purposes of human health protection has been submitted to and approved in writing by the Local Planning Authority. The report shall include details of the implementation of the remedial strategy and any contingency plan works approved pursuant to the Site-Specific Remediation Strategy condition above. In the event that gas and/or vapour protection measures are specified by

the remedial strategy, the report shall include written confirmation from a Building Control Regulator that all such measures have been implemented.

REASON: To ensure that remediation work is adequately validated and recorded, in the interest of safeguarding public health and in accordance with Policy 8 of the Core Strategy 2008.

Additional condition - Details of parking spaces adjacent to bus turning re request from Highways.

Construction of the roadway and hardstandings between block G1 and H1 and plots 11-14 shall not commence until layout details for the precise positioning of car parking spaces have been submitted to and approved in writing by the local planning authority.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions prejudicial of general safety along the neighbouring highway in accordance with Policy 7 of the Core Strategy 2008.

Additional condition - Works within the existing highway, minor works to be listed and timescale for completion required.

Additional condition - possible condition re details of items to go in flood zone 3 (land immediately next to the stream).

Conclusion Taking account of the above, para 15.5 still applies and the application is now recommended for approval subject to the matters outlined in the recommendation below.

#### **CHANGE OF RECOMMENDATION:**

Having considered the relevant policies and comments that have been received from consultees and local interested parties, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager for approval subject to:

The resolution of the issue raised by Natural England.

- Satisfactory completion of a Section 106 planning obligation agreement to secure financial contributions towards education, Habitat Regulations Assessment mitigation, travel plan monitoring, controlled parking zone and additional open space maintenance costs plus secure a travel plan, information pack, highway agreement, 20% affordable housing, two stage viability review, local marketing strategy, secure adequate off site school parent parking space.

finalising conditions; and any other minor changes.

agreement of the pre-commencement conditions with the applicant/agent

Approval of application ref P/00119/017 (to secure re-provision of ice arena overflow parking off site)

OR

Refuse the application if the outstanding matters are not satisfactorily concluded or if the completion of the Section 106 planning obligation is not finalised by 31<sup>st</sup> May 2021 unless a longer period is agreed by the Planning Manager in consultation with the Chair of the Planning Committee.

## **1.0 Updated Representation from the Highway Authority**

- 1.1 Revisions and additions have been made by Highways to those comments previously reported in the published agenda papers. To assist in your reading these are presented as consolidated in a single text with the changes highlighted accordingly.

### **[Amended text follows]**

18 parking spaces are proposed with the provision of 16 allocated parking spaces at a ratio of 1 allocated parking space per dwelling. It is proposed that two parking spaces would be provided for the use of visitors.

14 Electric Vehicle Charging Points (EVCP) were previously proposed on the basis that 1 Electric Charging Point per dwelling was provided per allocated parking space in accordance with the requirements of Table 7 of the Slough Low Emissions Strategy (2018 – 2025).

SBC request clarification that 1 EVCP would be provided for each allocated parking space now that the scheme is amended to include 16 allocated parking spaces.

## **SBC Highways and Transport Comments**

### **Vehicular Access**

The proposed crossover has been situated on the site's western boundary at the request of SBC to provide the best possible separation between the site access and the junction of Foxborough Close with the London Road service road. Drawing No. ITB16328-GA-001-Rev C displays visibility from the proposed site access, displaying 2.4m x 26.6m to the right of the proposed access and 2.4m x 43m to the left of the access. It is considered that this level of visibility is appropriate for this access when taking into account the location of the access and the likely speed of vehicles along this section of the London Road service road.

### **Layout**

The TS provides vehicle tracking of each parking space on Drawing ITB16328-GA-00-Rev-A which demonstrates that large estate cars can ingress and egress the majority of parking spaces on the proposed site layout.

The tracking requires dry steering for the vehicle to access the majority of parking spaces. **[Replacement text follows]** As shown on Drawing ITB16328-GA-003 Rev-B, Space 7 has been increased in size to the minimum dimensions of 2.4m x 4.8m to ensure parked vehicles do not overhang the end of the space. SBC cannot accept a layout where dry steering is necessary to ingress/egress each parking space. The applicant benefits from an empty site and therefore the proposed parking layout should be designed to allow ease of manoeuvrability for vehicles.

Tracking has also been provided which demonstrates that a Fire Tender can safely ingress/egress the site in a forward gear.

## **Access by Sustainable Travel Modes**

The site has an SBC PTAL rating of 1b which indicates a low level of public transport accessibility. PTAL ratings with Slough range from 1a in the areas with least access to public transport and a PTAL of 5 within the Town Centre area surrounding Slough Railway Station and the Bus Station. The site is located approximately 4,000m from Slough Town Centre and the main High Street.

### **[Additional text follows]**

The additional transport information submitted by i-Transport on 14<sup>th</sup> December (Ref: MC/GT/ITB16328-002) refers to Journey to Work Data from the 2011 Census for Slough 013 and identifies Heathrow, Slough, Maidenhead, Windsor, Bracknell, Langley and Colnbrook as the key employment destinations. The site's proximity to the Strategic Road Network makes it likely that the private car will be the first choice for travelling to these destinations, regardless of the bus services available highlighted by i-Transport.

i-Transport's independent PTAL calculation is not accepted. In order to compare accessibility of different locations across Slough, a consistent approach must be taken. i-Transport's calculated PTAL rating for the site is 2, which would still be considered low compared to highly accessible areas within Slough and public transport accessibility is still not considered high enough to support car ownership below the adopted car parking standards. The site's proximity to the M4 and Strategic Road Network is likely to attract residents employed outside of Slough in locations easily accessible using the motorway network.

## **Trip Generation and Traffic Impact**

### **[Additional text follows]**

In response to previous transport comments made by SBC, i-Transport have amended the forecast trip generation for the proposed development and have concluded that the site will generate 6 two-way vehicle trips during the AM Peak Hour and 7 two-way vehicle trips during the PM Peak Hour on the basis of two-way trip rates of 0.407 and 0.447 trips per dwelling during the AM and PM Peak Hours respectively. The revised trip rates and calculation of trip generation are accepted.

SBC requested that the generation assessment was revised so that trip rates were obtained from trip survey sites similar to the proposed development, on the following basis:

- Extraction of trip rates based on the criteria contained within the TRICS Good Practice Guide (2021);
- Consideration of survey sites in Edge of Town/Suburban Locations in close proximity to the Strategic Road Network, similar to the 413 London Road site;
- Removal of survey site: DS-03-C-02 – Burton Road, Derby. This TRICS survey was completed on a Saturday and the data is inappropriate for estimating the development site's trip generation for the peak hours on a weekday. The survey for this site recorded 0 two-way trips during the AM Peak Hour and 1 two-way trips during the PM Peak Hour. The inclusion of this data results in a lower average trip rate. As stated in Paragraph 11.5 of the TRICS Good Practice Guide, users should not mix weekday and weekend surveys together in a selected trip rate calculation, as this produces a "hybrid" profile which is not representative of any day.



- Removal of survey site: DS-03-C-03 - Caesar Street, Derby. This site has 16 parking spaces for 30 dwellings and a ratio of 0.533 parking spaces per dwelling. Therefore the vehicular trip rate per dwelling from this site is uncomparable with the proposed development at 413 London Road. The inclusion of this data results in a lower average trip rate.

The TS stated in paragraph 5.2.2 that trip rates have been obtained on the basis that 100% of the development will comprise privately owned housing, *'when in reality there will be an element of affordable flats'* and therefore the trip rates provide an overly robust assessment. However Section 16 of the application forms states that all of the housing provided will be private, market housing. Therefore it is accurate for the assessment to be undertaken on the basis of 100% privately owned/rented dwellings, but the assessment cannot be considered overly robust for this reason.

## **Parking**

The proposed development is required to provide a number of parking spaces compliant with the Slough Borough Council Parking Standards, as detailed in comments provided by SBC on 23<sup>rd</sup> October by email.

The Slough Core Strategy (2008 – 2026) identifies that minimum parking standards should continue to be applied in existing residential areas, stating that: *'The minimum parking standards may continue to be applied to any small scale residential development that is allowed within the existing residential areas under the Spatial Strategy. This would take account of the expected levels of car ownership and recognize the importance of promoting good design in order to protect the character and amenities of the suburban areas'* – Paragraph 7.132.

Therefore the SBC Parking Standards should be applied given the site is a small scale residential development in an existing residential area.

The parking requirement for the proposed development is provided below in Table 1:

**Table 1: Parking Requirement for 413 London Road**

	Spaces Per Dwelling (Existing Residential Area)		Required Spaces (Allocated)	
	Car	Cycle	Car	Cycle
1 Bedroom Flat	1.5	1	6	4
2 Bedroom Flat	2.0	1	20	10
<b>Total</b>			<b>26</b>	<b>14</b>

Source: Slough Borough Council Developers Guide – Part 3: Highways and Transport.

As detailed above in Table 1, 26 parking spaces are required for the proposed development based on the SBC Parking Standards for an existing residential area with fully allocated parking. Allocated parking is considered most appropriate for this site to prevent the overspill of parked vehicles onto Foxborough Close or the London Road service road. The proposals are a shortfall of 10 spaces compared to the SBC Parking Standards

Alternatively, if a suitable communal parking layout can be proposed, 23 parking spaces will be required. The proposed 16 spaces still represent a shortfall of 7 spaces against the SBC Parking Standards.

The TS highlights that the SBC parking standards will be applied flexibly for residential development in very accessible locations. However, the site cannot be considered highly accessible given it sits outside of the Town Centre and outside of Langley Village Centre. The site has a PTAL rating of 1b which indicates low public transport accessibility. Slough Town Centre has a PTAL rating of 5.

In addition, the site is situated in close proximity to Junction 5 of the M4. From the M4, drivers can connect to several motorways including the M25, M40, A404M and M3. Therefore the site location makes the car the most attractive transport mode for journeys to destinations within the wider sub-region such as Reading, Newbury, Maidenhead, Basingstoke and West London, particularly given Highways England's Smart Motorway scheme will increase M4 capacity between junctions 3 and 12.

The submitted TS highlights journey times from Slough and Langley to key destinations, however the TS does not acknowledge time required for residents to travel from the site to the rail stations or frequency/waiting time of the rail and bus services. The close proximity of the M4 will therefore ensure the car is the most attractive travel mode for destinations outside of Slough.

#### **[Additional text follows**

Therefore SBC do not consider this a sustainable location suitable to support low levels of Car Ownership or parking provision below the Slough Borough Council Parking Standards.

Paragraph 7.132 of the Slough Core Strategy (2008) states that SBC would continue to apply: *'minimum parking standards to any small scale residential development that is allowed within existing residential areas'*.

#### **Parking – Car Ownership Data**

The Transport Statement prepared by i-Transport included Car Ownership Data for flats within Foxborough Ward, which were recorded in the 2011 Census and this demonstrates that average car ownership within the ward is 0.78 cars per flat.

At the request of SBC, i-Transport have now provided more relevant Car Ownership Data which has been obtained solely for privately owned flats (tenure was not considered in the data previously provided within the TS). This data shows 1.11 cars per dwelling was recorded for Privately Owned 1 Bedroom Flats within the Foxborough Ward and that 1.18 cars per dwelling were recorded for Privately Owned 2 Bedroom Flats within the Foxborough Ward. As a result, the proposed parking provision has been amended to provide

As noted in the previous comments provided by SBC Highways and Transport on 04/12/20, the proposed development site is situated within the south of the Foxborough Ward and accessibility differs across the Foxborough Ward with dwellings in the north located in closer proximity to Langley Station and the retail offering on Langley High Street.

Therefore SBC reiterate the request that the Car Ownership data for privately owned flats is provided for Slough 0013E, in addition to Foxborough Ward. The location and travel patterns within Slough 0013E better corresponds to the site given dwelling within Slough 0013E are in close proximity to the A4 corridor and M4 Junction 5. As with the dataset obtained by i-

Transport for Foxborough Ward (CT0103), the dataset needs to be specially requested from the Office for National Statistics.

SBC Highways and Transport cannot support the proposed deviation from the adopted Slough Borough Council parking standards in this location without comparison to Car Ownership data for an MSOA which better reflects the location of the site.

### **Servicing and Refuse Collection**

The TS provides vehicle tracking which demonstrates that a delivery vehicle measuring 7.170m long can safely ingress and egress the site in a forward gear.

The TS also provides tracking which shows that the refuse vehicle would reverse into the site access to allow the vehicle to egress the site onto the London Road service road in a forward gear. It is assumed waste collection would then occur whilst the refuse vehicle waits within the site access.

Mindful of the above, I am satisfied that this proposal will have a detrimental affect on the operation of the local highway network. I would therefore recommend that the application be revised in accordance with my comments. If this cannot be achieved then this application should be refused for the reason(s) given.

### **Suggested Reasons for Refusal:**

#### **Prematurity**

The proposed development is premature until such time that the applicant has demonstrated that the application, if approved, will not be detrimental to the safe operation of the adjacent and wider highway network. The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7.

#### **Poor Layout**

The layout as submitted is unacceptable and as such would result in an unsatisfactory form of development. The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7.

#### **Car Parking**

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

**2.0 There being no further information setting out a "severe" impact, in accordance with the NPPF, the recommendation remains as set out in the Supplementary Report, on balance APPROVAL.**